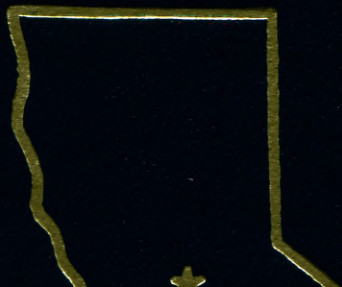


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## Title 4

# STANDARDS AND TRAINING OF LOCAL LAW ENFORCEMENT OFFICERS

Chapter	Section
1. Commission on Peace Officer Standards and Training .....	13500

*Title 4 was added by Stats.1959, c. 1823, p. 4332, § 2.*

### Cross References

County water districts, security force, authority and powers, recruitment and training, see Water Code § 30547.  
Municipal water districts, park rangers, recruitment and training standards of peace officers, see Water Code § 71341.5.  
San Francisco Bay Area Rapid Transit District, police department, authority and powers, see Public Utilities Code § 28767.5.  
Southern California Rapid Transit District, security force of police officers and guards, peace officer standards and qualifications, see Public Utilities Code § 30504.  
Transit development boards, establishment and maintenance of police force, see Public Utilities Code § 120550.  
Utility works and service, security officer, employment, see Public Utilities Code § 12820.

## Chapter 1

# COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Article	Section
1. Administration .....	13500
2. Field Services and Standards for Recruitment and Training .....	13510
3. Peace Officers' Training Fund and Allocations Therefrom .....	13520
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*Chapter 1 was added by Stats.1959, c. 1823, p. 4332, § 2.*

### Cross References

Public Employees' Retirement System, membership classifications, state safety member as including members of state college police department, see Government Code § 20404.

## Article 1

# ADMINISTRATION

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13500.	Existence of commission; membership; qualifications; appointment; terms.
13501.	Chairman and vice chairman; quorum.
13502.	Compensation; reimbursement for travel expenses.
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13504.	Assistance in execution of duties.
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**Section**

- 13506. Regulations; withdrawal, revocation, or cancellation of certificates.
- 13507. District defined.
- 13508. Learning technology laboratory; pilot projects; implementation plan.

*Article 1 was added by Stats.1959, c. 1823, p. 4332, § 2.*

**Cross References**

County water districts, employment of security force, authority and powers, recruitment and training, standards, see Water Code § 30547.  
Police department, authority and powers, standards and training, see Public Utilities Code § 28767.5.  
Security officer, employment, authority and powers, see Public Utilities Code § 12820.  
Southern California Rapid Transit District, security force of police officers and guards, peace officer standards and qualifications, recruitment, see Public Utilities Code § 30504.  
State safety members as including members of state college police departments, see Government Code § 20404.  
Victim-assistance training program, reimbursement, see Penal Code § 13835.10.

**Code of Regulations References**

Commission on peace officer standards and training, see 11 Cal. Code of Regs. § 1001 et seq.

**Law Review and Journal Commentaries**

Varieties of police policy: A study of police Angeles county. Gerald F. Uelmen, 6 Loy. L.A. policy regarding use of deadly force in Los L. Rev. 1 (1973).

**§ 13500. Existence of commission; membership; qualifications; appointment; terms**

(a) There is in the Department of Justice a Commission on Peace Officer Standards and Training, hereafter referred to in this chapter as the commission. The commission consists of 15 members appointed by the Governor, after consultation with, and with the advice of, the Attorney General and with the advice and consent of the Senate. Racial, gender, and ethnic diversity shall be considered for all appointments to the commission.

(b) The commission shall be composed of the following members:

(1) Two members shall be (i) sheriffs or chiefs of police or peace officers nominated by their respective sheriffs or chiefs of police, (ii) peace officers who are deputy sheriffs or city police officers, or (iii) any combination thereof.

(2) Three members shall be sheriffs or chiefs of police or peace officers nominated by their respective sheriffs or chiefs of police.

(3) Four members shall be peace officers of the rank of sergeant or below with a minimum of five years' experience as a deputy sheriff, city police officer, marshal, or state-employed peace officer for whom the commission sets standards. Each member shall have demonstrated leadership in the recognized employee organization having the right to represent the member, as set forth in the Meyers-Milius-Brown Act (Chapter 10 (commencing with Section 3500)) and the Ralph C. Dills Act (Chapter 10.5 (commencing with Section 3525)) of Division 4 of Title 1 of the Government Code.

(4) One member shall be an elected officer or chief administrative officer of a county in this state.



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(5) One member shall be an elected officer or chief administrative officer of a city in this state.

(6) Two members shall be public members who shall not be peace officers.

(7) One member shall be an educator or trainer in the field of criminal justice.

(8) One member shall be a peace officer in California of the rank of sergeant or below with a minimum of five years experience as a deputy sheriff, city police officer, marshal, or state-employed peace officer for whom the commission sets standards. This member shall have demonstrated leadership in a California-based law enforcement association that is also a presenter of POST-certified law enforcement training that advances the professionalism of peace officers in California.

(c) The Attorney General shall be an ex officio member of the commission.

(d) Of the members first appointed by the Governor, three shall be appointed for a term of one year, three for a term of two years, and three for a term of three years. Their successors shall serve for a term of three years and until appointment and qualification of their successors, each term to commence on the expiration date of the term of the predecessor.

(e) The additional member provided for by the Legislature in its 1973-74 Regular Session shall be appointed by the Governor on or before January 15, 1975, and shall serve for a term of three years.

(f) The additional member provided for by the Legislature in its 1977-78 Regular Session shall be appointed by the Governor on or after July 1, 1978, and shall serve for a term of three years.

(g) The additional members provided for by the Legislature in its 1999-2000 Regular Session shall be appointed by the Governor on or before July 1, 2000, and shall serve for a term of three years.

(h) The additional member provided for by the Legislature in its 2007-08 Regular Session shall be appointed by the Governor on or before January 31, 2008, and shall serve for a term of three years.

(Added by Stats.1959, c. 1823, p. 4332, § 2. Amended by Stats.1974, c. 1540, p. 3527, § 1; Stats.1977, c. 964, p. 2918, § 1; Stats.1992, c. 1267 (A.B.401), § 1; Stats.1999, c. 702 (A.B.1334), § 1; Stats.2007, c. 409 (A.B.1229), § 1.)

### Historical and Statutory Notes

Section 1 of Stats.1959, c. 1823, p. 4332, provided:

"In enacting this legislation the Legislature finds that vocational training and the enforcement of state laws are matters of statewide interest and concern."

The 1974 amendment rewrote this section, which read:

"There is in the Department of Justice a Commission on Peace Officer Standards and Training, hereafter referred to in this chapter as the commission. The commission consists of nine members appointed by the Governor, after con-

sultation with, and with the advice of, the Attorney General and with the advice and consent of the Senate, of whom five must be either sheriffs or chiefs of police or peace officers nominated by their respective sheriffs or chiefs of police, two must be elected officers or chief administrative officers of cities in this State, and two must be elected officers or chief administrative officers of counties of this State, as well as the Attorney General, who shall be an ex officio member of the commission. Of the members first appointed by the Governor, three shall be appointed for a term of one year, three for a term of two years, and three for a term of three



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years. Their successors shall serve for a term of three years and until appointment and qualification of their successors, each term to commence on the expiration date of the term of the predecessor."

Amendment of this section by § 2 of Stats. 1974, c. 1540, p. 3528, failed to become operative under the provisions of § 3 of that Act.

The 1977 amendment increased the number of members from 10 to 11; changed subds. (4) and (5) to reflect representation by one representative each from counties and cities; added subds. (6) and (7), relating to public members and a member who is an educator or trainer, and added the final paragraph relating to an additional member to be appointed by the Governor.

The 1992 amendment, in the introductory paragraph, changed the number of commission members from 11 to 13; added the sentence on race, gender and ethnic diversity; in subd. (3), increased the number of peace officers; inserted at the end "city police officer, marshal, or state-employed peace officer for whom the commission sets standards. These members shall have demonstrated leadership in their local or state peace officer association or union."; and added the final paragraph relating to appointment and terms of the additional members.

Stats.1999, c. 702 (A.B.1334), in the first paragraph, substituted "14" for "13"; in subd. (3), substituted "Four" for "Three"; in the last paragraph, substituted "1999-2000" for "1991-92" and "July 1, 2000" for "January 15, 1993"; and made a nonsubstantive change.

Stats.2007, c. 409 (A.B.1229), rewrote this section, which read:

"There is in the Department of Justice a Commission on Peace Officer Standards and Training, hereafter referred to in this chapter as the commission. The commission consists of 14 members appointed by the Governor, after consultation with, and with the advice of, the Attorney General and with the advice and consent of the Senate. Racial, gender, and ethnic diversity shall be considered for all appointments to the commission.

"The commission shall be composed of the following members:

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"(1) Two members shall be (i) sheriffs or chiefs of police or peace officers nominated by their respective sheriffs or chiefs of police, (ii) peace officers who are deputy sheriffs or city policemen, or (iii) any combination thereof.

"(2) Three members shall be sheriffs or chiefs of police or peace officers nominated by their respective sheriffs or chiefs of police.

"(3) Four members shall be peace officers of the rank of sergeant or below with a minimum of five years' experience as a deputy sheriff, city police officer, marshal, or state-employed peace officer for whom the commission sets standards. These members shall have demonstrated leadership in their local or state peace officer association or union.

"(4) One member shall be an elected officer or chief administrative officer of a county in this state.

"(5) One member shall be an elected officer or chief administrative officer of a city in this state.

"(6) Two members shall be public members who shall not be peace officers.

"(7) One member shall be an educator or trainer in the field of criminal justice.

"The Attorney General shall be an ex officio member of the commission.

"Of the members first appointed by the Governor, three shall be appointed for a term of one year, three for a term of two years, and three for a term of three years. Their successors shall serve for a term of three years and until appointment and qualification of their successors, each term to commence on the expiration date of the term of the predecessor.

"The additional member provided for by the Legislature in its 1973-74 Regular Session shall be appointed by the Governor on or before January 15, 1975, and shall serve for a term of three years.

"The additional member provided for by the Legislature in its 1977-78 Regular Session shall be appointed by the Governor on or after July 1, 1978, and shall serve for a term of three years.

"The additional members provided for by the Legislature in its 1999-2000 Regular Session shall be appointed by the Governor on or before July 1, 2000, and shall serve for a term of three years."

### Cross References

Attorney General, generally, see Government Code § 12500 et seq.

Transit development boards, authority to establish police force, training standards,

Generally, see Public Utilities Code § 120550.

North San Diego Metropolitan Transit Development Board, see Public Utilities Code § 125600.



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#### Law Review and Journal Commentaries

The San Diego police department's domestic violence unit. Raquel Lazar-Paley, 11 J.Con-temp.Legal Issues 69 (2000).

#### Library References

States Ⓒ46.  
Westlaw Topic No. 360.

C.J.S. States §§ 88, 158 to 161, 163 to 165, 195.

#### Research References

##### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 60, Composition of the Commission.  
CA Jur. 3d Public Officers and Employees § 59, Power of Governor; Advice and Consent Of, or Confirmation By, Senate.

##### Treatises and Practice Aids

4 Witkin Cal. Crim. L. 3d Intro. to Crim. Proc. § 13, Department of Justice.

#### Notes of Decisions

##### Compliance certification 1

##### 1. Compliance certification

Peace officers must certify compliance with the criteria that the Commission on Peace Offi-

cer Standards and Training promulgates, both as a matter of continuing education and after a break in active status. *Pitts v. City of Sacramento* (App. 3 Dist. 2006) 41 Cal.Rptr.3d 838, 138 Cal.App.4th 853. *Municipal Corporations* Ⓒ184(2)

### § 13501. Chairman and vice chairman; quorum

The commission shall select a chairman and a vice chairman from among its members. A majority of the members of the commission shall constitute a quorum.

(Added by Stats.1959, c. 1823, p. 4332, § 2. Amended by Stats.1977, c. 108, p. 540, § 1.)

#### Historical and Statutory Notes

The 1977 amendment provided that a majority of the members rather than five members are needed to constitute a quorum and deleted a

third sentence requiring the Attorney General to summon the commission to its first meeting.

### § 13502. Compensation; reimbursement for travel expenses

Members of the commission shall receive no compensation, but shall be reimbursed for their actual and necessary travel expenses incurred in the performance of their duties. For purposes of compensation, attendance at meetings of the commission shall be deemed performance by a member of the duties of his local governmental employment.

(Added by Stats.1959, c. 1823, p. 4332, § 2.)

#### Library References

States Ⓒ57, 60(1).  
Westlaw Topic No. 360.

C.J.S. States §§ 89, 196 to 198, 201, 203 to 205.

### § 13503. Powers

In carrying out its duties and responsibilities, the commission shall have all of the following powers:



- (a) To meet at those times and places as it may deem proper.
- (b) To employ an executive secretary and, pursuant to civil service, those clerical and technical assistants as may be necessary.
- (c) To contract with other agencies, public or private, or persons as it deems necessary, for the rendition and affording of those services, facilities, studies, and reports to the commission as will best assist it to carry out its duties and responsibilities.
- (d) To cooperate with and to secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of its duties and responsibilities, and in performing its other functions.
- (e) To develop and implement programs to increase the effectiveness of law enforcement and when those programs involve training and education courses to cooperate with and secure the cooperation of state-level officers, agencies, and bodies having jurisdiction over systems of public higher education in continuing the development of college-level training and education programs.
- (f) To cooperate with and secure the cooperation of every department, agency, or instrumentality in the state government.
- (g) To do any and all things necessary or convenient to enable it fully and adequately to perform its duties and to exercise the power granted to it.
- (h) The commission shall not have the authority to adopt or carry out a regulation that authorizes the withdrawal or revocation of a certificate previously issued to a peace officer pursuant to this chapter.
- (i) Except as specifically provided by law, the commission shall not have the authority to cancel a certificate previously issued to a peace officer pursuant to this chapter.

(Added by Stats.1959, c. 1823, p. 4333, § 2. Amended by Stats.1967, c. 1640, p. 3930, § 1; Stats.2003, c. 297 (S.B.221), § 2.)

#### Historical and Statutory Notes

The 1967 amendment added subd. (e), relating to programs, and relettered the remaining subdivisions.

Stats.2003, c. 297 (S.B.221), in subds. (a) and (b), substituted "those" for "such"; in subd. (c),

deleted "such" preceding "other agencies", and substituted "those" for "such"; in subd. (e), substituted "those" for "such"; added subds. (h) and (i); and made nonsubstantive changes.

#### Cross References

Adherence to standards, investigation by commission, see Penal Code § 13512.  
Adoption and amendment of minimum standards, see Penal Code § 13510.

#### Code of Regulations References

Commission on Peace Officer Standards and Training,  
Academy instructor certificate program (AICP), see 11 Cal. Code of Regs. § 1009.  
Certificates of course completion, see 11 Cal. Code of Regs. § 9076.  
Certificate replacement, see 11 Cal. Code of Regs. § 9077.  
Services provided by the commission, see 11 Cal. Code of Regs. § 1016.  
Commission on Peace Officer Standards and Training, regulatory procedures,  
Annual recertification, see 11 Cal. Code of Regs. § 1056.  
Appeals process, see 11 Cal. Code of Regs. § 1058.

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#### Commission on Peace Officer Standards and Training—Cont'd

- Course certification program, see 11 Cal. Code of Regs. § 1051.
- Course certification request and review process, see 11 Cal. Code of Regs. § 1053.
- Decertification, see 11 Cal. Code of Regs. § 1057.
- Minimum content requirements for academy staff courses, see 11 Cal. Code of Regs. § 1083.
- Requirements for course budget, see 11 Cal. Code of Regs. § 1054.
- Requirements for course certifications, see 11 Cal. Code of Regs. § 1052.
- Requirements for course presentation, see 11 Cal. Code of Regs. § 1055.
- Standardized POST training curriculum, see 11 Cal. Code of Regs. § 1084.

#### Library References

- States ☞ 66 to 70.
- Westlaw Topic No. 360.
- C.J.S. States §§ 224 to 227, 230, 240 to 253.

### § 13504. Assistance in execution of duties

The Attorney General shall, so far as compatible with other demands upon the personnel in the Department of Justice, make available to the commission the services of such personnel to assist the commission in the execution of the duties imposed upon it by this chapter.

(Added by Stats.1959, c. 1823, p. 4333, § 2.)

#### Cross References

Attorney General, generally, see Government Code § 12500 et seq.

#### Library References

- Attorney General ☞ 6.
- Westlaw Topic No. 46.
- C.J.S. Attorney General §§ 26 to 78.
- C.J.S. Parent and Child § 251.

#### Research References

#### Encyclopedias

- CA Jur. 3d Law Enforcement Officers § 60,
- Composition of the Commission.

### § 13505. Costs of administration

In exercising its functions, the commission shall endeavor to minimize costs of administration so that a maximum of funds will be expended for the purpose of providing training and other services to local law enforcement agencies. All expenses shall be a proper charge against the revenue accruing under Article 3 (commencing with Section 13520).

(Added by Stats.1959, c. 1823, p. 4333, § 2. Amended by Stats.1967, c. 1640, p. 3930, § 2; Stats.1968, c. 1305, p. 2458, § 1; Stats.1985, c. 106, § 112.)

#### Historical and Statutory Notes

The 1967 amendment rewrote this section, which read:

"In exercising its functions the commission shall endeavor to minimize costs of administration, so that the greatest possible proportion of the funds available to it shall be expended for the purposes of providing training for local law enforcement officers. All expenses for the operation of the commission shall be a proper charge against the revenue accruing under the

provisions of Article 3 (commencing with Section 13520)."

The 1968 amendment rewrote this section, which read.

"In exercising its functions the commission shall endeavor to minimize costs of administration and such costs shall be appropriated from, and are a proper charge against the General Fund.



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"All allocations to local government, as provided for under provisions of Article 3 (commencing with Section 13520) shall be a proper charge against the Peace Officers' Training Fund."

The 1985 amendment made nonsubstantive changes to maintain the codes.

### Cross References

Allocations to cities and to counties from the Peace Officers' Training Fund, see Penal Code § 13523 et seq.

### Library References

States ⇨ 115.  
Westlaw Topic No. 360.  
C.J.S. States §§ 358 to 371.

### Research References

#### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 61,  
Purpose of the Commission.

## § 13506. Regulations; withdrawal, revocation, or cancellation of certificates

The commission may adopt those regulations as are necessary to carry out the purposes of this chapter. The commission shall not have the authority to adopt or carry out a regulation that authorizes the withdrawal or revocation of a certificate previously issued to a peace officer pursuant to this chapter. Except as specifically provided by law, the commission shall not have the authority to adopt regulations providing for the cancellation of a certificate. (Added by Stats.1959, c. 1823, p. 4333, § 2. Amended by Stats.2003, c. 297 (S.B.221), § 3.)

### Historical and Statutory Notes

Stats.2003, c. 297 (S.B.221), substituted "those" for "such" and added the second and third sentences.

### Cross References

Adoption of rules of minimum standards for training, see Penal Code § 13510.

### Code of Regulations References

Commission on Peace Officer Standards and Training,  
Academy instructor certificate program (AICP), see 11 Cal. Code of Regs. § 1009.  
Certificate replacement, see 11 Cal. Code of Regs. § 9077.  
Certificates of course completion, see 11 Cal. Code of Regs. § 9076.  
Conditions for continuing employment, see 11 Cal. Code of Regs. § 1012.

## § 13507. District defined

As used in this chapter, "district" means any of the following:

- (a) A regional park district.
- (b) A district authorized by statute to maintain a police department.
- (c) The University of California.
- (d) The California State University and Colleges.

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- (e) A community college district.
- (f) A school district.
- (g) A transit district.
- (h) A harbor district.

(Added by Stats.1969, c. 1072, p. 2058, § 1. Amended by Stats.1973, c. 1075, p. 2166, § 1; Stats.1980, c. 1047, § 4; Stats.1982, c. 894, p. 3319, § 1; Stats.1982, c. 973, p. 3485, § 1; Stats.1983, c. 143, § 210; Stats.1983, c. 435, § 1; Stats.1989, c. 950, § 3.)

### Historical and Statutory Notes

The 1973 amendment added subds. (c) and (d).

The 1980 amendment added subd. (e).

The 1982 amendment added subd. (f).

Section affected by two or more acts at the same session of the legislature, see Government Code § 9605.

The 1983 amendment added subd. (g).

Section affected by two or more acts at the same session of the legislature, see Government Code § 9605.

The 1989 amendment added subd. (h), relating to harbor districts.

### Former Notes

Former § 13507, added by Stats.1961, c. 571, p. 1714, § 1, relating to open and public meetings, was repealed by Stats.1967, c. 1656, p. 4024, § 98. For similar provisions, see Government Code § 11120 et seq.

### Cross References

Community college districts, see Education Code § 72000.

Regional park, park and open-space, and open-space districts, see Public Resources Code § 5500 et seq.

### Research References

#### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 61,  
Purpose of the Commission.

## § 13508. Learning technology laboratory; pilot projects; implementation plan

(a) The commission shall do each of the following:

(1) Establish a learning technology laboratory that would conduct pilot projects with regard to needed facilities and otherwise implement modern instructional technology to improve the effectiveness of law enforcement training.

(2) Develop an implementation plan for the acquisition of law enforcement facilities and technology. In developing this plan, the commission shall consult with appropriate law enforcement and training organizations. The implementation plan shall include each of the following items:

(A) An evaluation of pilot and demonstration projects.

(B) Recommendations for the establishment of regional skills training centers, training conference centers, and the use of modern instructional technology.

(C) A recommended financing structure.

(b) The commission may enter into joint powers agreements with other governmental agencies for the purpose of developing and deploying needed technology and facilities.



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(c) Any pilot project conducted pursuant to this section shall terminate on or before January 1, 1995, unless funding is provided for the project continuation. (Added by Stats.1991, c. 1074 (A.B.492), § 2. Amended by Stats.2004, c. 193 (S.B.111), § 155.)

### Operative Effect

*Stats.1991, c. 1074 (A.B.492) operative contingent upon funding, see Stats.1991, c. 1074 (A.B.492), § 3.*

### Law Revision Commission Comments

#### 2004 Amendment

Section 13508 is amended to delete reference to an obsolete reporting requirement. The required report was to be completed by January 1,

1995. [33 Cal.L.Rev.Comm. Reports 457 (2003)].

### Historical and Statutory Notes

Sections 1 and 3 of Stats.1991, c. 1074 (A.B.492), provide:

"SECTION 1. The Legislature acknowledges the study by a committee specially convened and constituted by the Legislature to investigate the need for modern technology and facilities for law enforcement training pursuant to Resolution Chapter 166 of the Statutes of 1989. The study made each of the following conclusions:

"(a) The skills, knowledge, and attitudes acquired by law enforcement officers through training has a profound impact upon the quality of living in California.

"(b) The training of California's law enforcement officers suffers from lack of availability of modern instructional technology and specialized training facilities.

"(c) The training of law enforcement officers could be greatly enhanced through technology and adequate facilities.

"The Legislature finds and declares that it is essential that the training of California's law enforcement officers be afforded greater use of modern instructional technology and specialized training facilities."

"SEC. 3. This act shall only become operative upon the appropriation of funds for the purposes of this act by the Legislature in the Budget Act of 1992."

Stats.2004, c. 193 (S.B.111), deleted obsolete reporting requirements and pilot and demonstration projects.

Subordination of legislation by Stats.2004, c. 193 (S.B.111), to other 2004 legislation, see Historical and Statutory Notes under Business and Professions Code § 29.

## Article 2

## FIELD SERVICES AND STANDARDS FOR RECRUITMENT AND TRAINING

### Section

- 13510. Rules of minimum standards; adoption; amendment.
- 13510.1. Certification program; purpose; requirements; application; cancellation of certificates.
- 13510.2. Misuse of certificates; misdemeanor; punishment.
- 13510.3. Records supervisors; voluntary professional certification program; standards.
- 13510.5. Rules of minimum standards; certain peace officers.
- 13510.6. Repealed.
- 13510.7. Ineligibility status in training record; notification to law enforcement agencies of ineligibility; basic certificates; reinstatement.
- 13511. Place of training; alternative means of satisfying training requirement.
- 13511.3. Approval of pertinent training completed by any jurisdiction's officers.
- 13511.5. Certification of no criminal history from Department of Justice; controlling firearms.



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#### Section

- 13512. Adherence to standards.
- 13513. Counseling service.
- 13514. Use of tear gas.
- 13514.1. Guidelines and training recommendations for SWAT operations; consultation with Attorney General's office; inclusion of initial training recommendations; legal and practice issues of SWAT operations; procedures for approving prior training.
- 13514.5. Training of law enforcement officers; handling of acts of civil disobedience; guidelines; implementation; legislative intent.
- 13515. Elder and dependent adult abuse training course; required for police officers or deputy sheriffs; contents; conditions; training materials.
- 13515.25. Mentally disabled persons; law enforcement interaction; training course.
- 13515.35. Training course on recognizing and interacting with persons with autistic spectrum disorders.
- 13515.36. Traumatic brain injury (TBI) and post-traumatic stress disorder (PTSD); assessment of training needs of emergency first responders; training format; course development and availability to first responders and law enforcement agencies; training bulletin; report to Legislature.
- 13515.55. High technology crimes and computer seizure training course.
- 13516. Sexual assault cases; standard investigative procedures; training; legislative intent.
- 13517. Child abuse or neglect; procedures for detection, investigation, response, and interviewing children; training courses; specialists.
- 13517.5. Minor witnesses; interview procedures.
- 13517.7. Guidelines and training for child safety when a caretaker parent or guardian is arrested.
- 13518. First aid and cardiopulmonary resuscitation; exclusion of certain personnel.
- 13518.1. Cardiopulmonary resuscitation; manual masks and airway assemblies.
- 13519. Domestic violence complaints; training course and guidelines for handling; requirements.
- 13519.05. Stalking; training course and guidelines.
- 13519.07. Missing persons investigations; guidelines to be made accessible to law enforcement agencies; adoption of checklist; adoption of policy, regulations, or guidelines; modification of commission guidelines and curriculum.
- 13519.1. Missing persons; training course and guidelines.
- 13519.2. Persons with developmental disabilities or mental illness; training course and guidelines.
- 13519.3. Sudden infant death syndrome; training; investigation; fee.
- 13519.4. Racial and cultural diversity training; racial profiling.
- 13519.5. Gang and drug law enforcement; training.
- 13519.6. Hate crimes; training courses and guidelines.
- 13519.64. Telecourse; crimes against homeless persons.
- 13519.7. Sexual harassment in the workplace; complaint guidelines and training.
- 13519.8. High speed vehicle pursuits; training courses and guidelines.
- 13519.9. Criminal investigators; advanced training; specialty assignments.
- 13519.12. Establishment of training standards and development of course of instruction that includes criteria for curriculum content recommended by Emergency Response Training Advisory Committee; delivery of training to personnel; persons to receive training.
- 13519.14. Course or courses of instruction for training of law enforcement officers in the handling of human trafficking complaints; guidelines.
- 13519.15. Guidelines for investigation and reporting cases involving anti-reproductive-rights crimes.



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*Article 2, added as "Standards For Recruitment and Training" by Stats.1959, c. 1823, p. 4332, § 2, was amended by Stats.1967, c. 1640, p. 3931, § 3, to read as now appearing.*

### Cross References

Special districts providing police protection, employment of peace officers, see Government Code § 53060.7.

### Code of Regulations References

Commission on Peace Officer Standards Training, minimum standards for training, see 11 Cal. Code of Regs. § 1005 et seq.

## § 13510. Rules of minimum standards; adoption; amendment

(a) For the purpose of raising the level of competence of local law enforcement officers, the commission shall adopt, and may from time to time amend, rules establishing minimum standards relating to physical, mental, and moral fitness that shall govern the recruitment of any city police officers, peace officer members of a county sheriff's office, marshals or deputy marshals, peace officer members of a county coroner's office notwithstanding Section 13526, reserve officers, as defined in subdivision (a) of Section 830.6, police officers of a district authorized by statute to maintain a police department, peace officer members of a police department operated by a joint powers agency established by Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, regularly employed and paid inspectors and investigators of a district attorney's office, as defined in Section 830.1, who conduct criminal investigations, peace officer members of a district, safety police officers and park rangers of the County of Los Angeles, as defined in subdivisions (a) and (b) of Section 830.31, or housing authority police departments.

The commission also shall adopt, and may from time to time amend, rules establishing minimum standards for training of city police officers, peace officer members of county sheriff's offices, marshals or deputy marshals, peace officer members of a county coroner's office notwithstanding Section 13526, reserve officers, as defined in subdivision (a) of Section 830.6, police officers of a district authorized by statute to maintain a police department, peace officer members of a police department operated by a joint powers agency established by Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, regularly employed and paid inspectors and investigators of a district attorney's office, as defined in Section 830.1, who conduct criminal investigations, peace officer members of a district, safety police officers and park rangers of the County of Los Angeles, as defined in subdivisions (a) and (b) of Section 830.31, and housing authority police departments.

These rules shall apply to those cities, counties, cities and counties, and districts receiving state aid pursuant to this chapter and shall be adopted and amended pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.



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(b) The commission shall conduct research concerning job-related educational standards and job-related selection standards to include vision, hearing, physical ability, and emotional stability. Job-related standards that are supported by this research shall be adopted by the commission prior to January 1, 1985, and shall apply to those peace officer classes identified in subdivision (a). The commission shall consult with local entities during the conducting of related research into job-related selection standards.

(c) For the purpose of raising the level of competence of local public safety dispatchers, the commission shall adopt, and may from time to time amend, rules establishing minimum standards relating to the recruitment and training of local public safety dispatchers having a primary responsibility for providing dispatching services for local law enforcement agencies described in subdivision (a), which standards shall apply to those cities, counties, cities and counties, and districts receiving state aid pursuant to this chapter. These standards also shall apply to consolidated dispatch centers operated by an independent public joint powers agency established pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code when providing dispatch services to the law enforcement personnel listed in subdivision (a). Those rules shall be adopted and amended pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. As used in this section, "primary responsibility" refers to the performance of law enforcement dispatching duties for a minimum of 50 percent of the time worked within a pay period.

(d) Nothing in this section shall prohibit a local agency from establishing selection and training standards that exceed the minimum standards established by the commission.

(Added by Stats.1959, c. 1823, p. 4333, § 2. Amended by Stats.1963, c. 372, p. 1161, § 8; Stats.1969, c. 1072, p. 2058, § 2; Stats.1973, c. 1075, p. 2166, § 2; Stats.1977, c. 987, p. 2970, § 4; Stats.1980, c. 654, § 1; Stats.1980, c. 1180, § 1, operative Jan. 1, 1981; Stats.1981, c. 710, § 1; Stats.1981, c. 966, § 5; Stats.1987, c. 971, § 1; Stats.1990, c. 333 (A.B.2306), § 1; Stats.1990, c. 477 (S.B.2457), § 1; Stats.1991, c. 910 (S.B.249), § 7; Stats.1996, c. 950 (A.B.574), § 4; Stats.1999, c. 301 (A.B.1336), § 1; Stats.2000, c. 135 (A.B.2539), § 142; Stats.2010, c. 212 (A.B.2767), § 12.)

### Law Revision Commission Comments

#### 2010 Amendment

Section 13510 is amended to reflect unification of the municipal and superior courts pursuant to former Section 5(e) of Article VI of the

California Constitution. [39 Cal.L.Rev.Comm. Reports 109 (2009)].

### Historical and Statutory Notes

As added in 1959, this section read:

"For the purpose of raising the level of competence of local law enforcement officers, the commission shall adopt, and may, from time to time amend, rules establishing minimum standards, relating to physical, mental, and moral fitness, which shall govern the recruitment of any city police officers or peace officer members of a county sheriff's office, in any city,

county, or city or county receiving state aid pursuant to this chapter, and shall adopt, and may, from time to time amend, rules establishing minimum standards for training of city police officers and peace officer members of county sheriff's offices, which shall apply to those cities, counties, and cities and counties receiving state aid pursuant to this chapter. All such rules shall be adopted and amended pursuant to the Administrative Procedure Act (Chapter 4



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(commencing at Section 11370) and Chapter 5 (commencing at Section 11500) of Part 1, Division 3, Title 2 of the Government Code)."

The 1963 amendment revised the statutory references.

The 1969 amendment made the section applicable to districts receiving state aid under this chapter and specified "policemen of a district authorized by statute to maintain a police department, or peace officer members of a regional part district".

The 1973 amendment deleted the words "regional park" preceding the word "district" in two instances.

Amendment of this section by § 3 of Stats. 1973, c. 1075, p. 2166, failed to become operative under the provisions of § 5 of that Act.

The 1977 amendment added "reserve officers as defined in subdivision (a) of Section 830.6" in two places.

The 1980 amendment added subd. (b), relating to research of job-related standards; and added subd. (c), relating to establishment of standards stricter than those of the commission.

Section 2 of Stats. 1980, c. 1180, provided:

"This act shall become operative only if Senate Bill 1428 of the 1979-80 Regular Session of the Legislature [Stats. 1980, c. 1047] is chaptered. If Senate Bill 1428 is chaptered, this act shall become operative on the operative date of Senate Bill 1428 [Jan. 1, 1981]."

Section affected by two or more acts at the same session of the legislature, see Government Code § 9605.

The 1981 amendment made the section applicable to marshals or deputy marshals of a municipal court and to regularly employed and paid inspectors and investigators of a district attorney's office as defined in § 830.1 who conduct criminal investigations.

Under the provisions of § 6 of Stats. 1981, c. 966, the 1981 amendments of this section by c. 710 and c. 966 were given effect and incorporated in the form set forth in § 5 of c. 966.

Amendment of this section by § 4 of Stats. 1981, c. 966, failed to become operative under the provisions of § 6 of that Act.

Amendment of this section by § 2 of Stats. 1981, c. 710, failed to become operative under the provisions of § 4 of that Act.

Section affected by two or more acts at the same session of the legislature, see Government Code § 9605.

The 1987 amendment added subd. (c), relating to minimum standards for certain local public safety dispatchers; and in the provision allowing standards to exceed the requirements of

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this section, substituted "local agency" for "local law enforcement agency."

The 1990 amendment by c. 477 inserted provisions relating to peace officer members of a police department operated by a joint powers agency twice in subd. (a); made the standards applicable to consolidated dispatch centers operated by an independent public joint powers agency; made gender related changes; and made nonsubstantive changes throughout.

Section affected by two or more acts at the same session of the legislature, see Government Code § 9605.

The 1991 amendment inserted references to peace officer members of a county coroner's office twice in subd. (a).

The 1996 amendment rewrote subd. (a), which read:

"(a) For the purpose of raising the level of competence of local law enforcement officers, the commission shall adopt, and may from time to time amend, rules establishing minimum standards relating to physical, mental, and moral fitness which shall govern the recruitment of any city police officers, peace officer members of a county sheriff's office, marshals or deputy marshals of a municipal court, peace officer members of a county coroner's office notwithstanding Section 13526, reserve officers, as defined in subdivision (a) of Section 830.6, police officers of a district authorized by statute to maintain a police department, peace officer members of a police department operated by a joint powers agency established by Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, regularly employed and paid inspectors and investigators of a district attorney's office, as defined in Section 830.1, who conduct criminal investigations, or peace officer members of a district, in any city, county, city and county, or district receiving state aid pursuant to this chapter, and shall adopt, and may from time to time amend, rules establishing minimum standards for training of city police officers, peace officer members of county sheriff's offices, marshals or deputy marshals of a municipal court, peace officer members of a county coroner's office notwithstanding Section 13526, reserve officers, as defined in subdivision (a) of Section 830.6, police officers of a district authorized by statute to maintain a police department, peace officer members of a police department operated by a joint powers agency established by Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, regularly employed and paid inspectors and investigators of a district attorney's office, as defined in Section 830.1, who conduct criminal investigations, and peace officer mem-



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bers of a district which shall apply to those cities, counties, cities and counties, and districts receiving state aid pursuant to this chapter. Those rules shall be adopted and amended pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code."

Stats.1999, c. 301 (A.B.1336), in subd. (a), in the first two paragraphs, included housing authority police departments.

Stats.2000, c. 135 (A.B.2539), made nonsubstantive changes to maintain the code.

Subordination of legislation by Stats.2000, c. 135 (A.B.2539), to other 2000 legislation, see Historical and Statutory Notes under Business and Professions Code § 651.

Stats.2010, c. 212 (A.B.2767), in subd. (a), in the first and second paragraphs deleted "of a municipal court" following "or deputy marshals".

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**Note 1**

### Cross References

Authority for regulations, see Penal Code § 13506.

Commission on Peace Officer Standards and Training, racial and cultural diversity training, racial profiling, see Penal Code § 13519.4.

Course of training prescribed by Commission on Peace Officer Standards and Training, see Penal Code § 832.

District defined for purposes of this Chapter, see Penal Code § 13507.

State aid for training of certain local public safety dispatchers, see Penal Code § 13525.

### Code of Regulations References

Academy instructor certificate program (AICP), see 11 Cal. Code of Regs. § 1009.

Peace officer background investigation, see 11 Cal. Code of Regs. § 9053.

Peace officer medical evaluation, see 11 Cal. Code of Regs. § 9054.

Peace officer oral interview, see 11 Cal. Code of Regs. § 9052.

Peace officer psychological evaluation, see 11 Cal. Code of Regs. § 9055.

Peace officer reading and writing ability assessment, see 11 Cal. Code of Regs. § 9051.

Peace officer selection requirements, see 11 Cal. Code of Regs. § 9050.

Professional certificates, public safety dispatcher, see 11 Cal. Code of Regs. § 9072.

Public safety dispatcher background investigation, see 11 Cal. Code of Regs. § 9059.

Public safety dispatcher medical evaluation, see 11 Cal. Code of Regs. § 9060.

Public safety dispatcher oral communication assessment, see 11 Cal. Code of Regs. § 9058.

Public safety dispatcher programs, see 11 Cal. Code of Regs. § 1018.

Public safety dispatcher selection requirements, see 11 Cal. Code of Regs. § 9056.

Public safety dispatcher verbal, reasoning, memory, and perceptual abilities assessment, see 11 Cal. Code of Regs. § 9057.

### Library References

Municipal Corporations §184(2).

Sheriffs and Constables §19.

Westlaw Topic Nos. 268, 353.

C.J.S. Municipal Corporations §§ 620 to 622, 624 to 630, 657, 660.

C.J.S. Sheriffs and Constables §§ 36 to 37.

### Research References

#### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 61,

Purpose of the Commission.

CA Jur. 3d Law Enforcement Officers § 63,

Certification Program.

CA Jur. 3d Law Enforcement Officers § 69, Particular Courses of Instruction Included in Basic Training Course; Additional Training--Additional Training Required for Certain Officers.

### Notes of Decisions

#### Moral fitness 1

#### National Guard members 2

#### 1. Moral fitness

Without specificity regarding moral unfitness, the Commission on Peace Officer Standards and Training may not adopt a regulation authorizing the withdrawal or cancellation of a valid

certificate previously issued by it to a peace officer who has been convicted of, or entered a plea of guilty or nolo contendere to, an offense punishable in the discretion of the court by imprisonment in the state prison or by fine or imprisonment in the county jail, and (A) for which punishment has been imposed other than imprisonment in the state prison, or (B) for which probation has been granted without imposition of sentence and at the time of granting proba-



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### Note 1

tion, or thereafter upon application of the defendant or probation officer, the court declared the offense to be a misdemeanor. 76 Op.Atty. Gen. 270, 12-8-93.

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### 2. National Guard members

California National Guard members are required to satisfactorily complete an introductory course of training prescribed by the Commission on Peace Officer Standards and Training before exercising powers of peace officers when called into emergency state services by the Governor. Op.Atty.Gen. No. 02-604 (October 3, 2002), 2002 WL 31232708.

### § 13510.1. Certification program; purpose; requirements; application; cancellation of certificates

(a) The commission shall establish a certification program for peace officers specified in Sections 13510 and 13522 and for the California Highway Patrol. Certificates of the commission established pursuant to this section shall be considered professional certificates.

(b) Basic, intermediate, advanced, supervisory, management, and executive certificates shall be established for the purpose of fostering professionalization, education, and experience necessary to adequately accomplish the general police service duties performed by peace officer members of city police departments, county sheriffs' departments, districts, university and state university and college departments, or by the California Highway Patrol.

(c)(1) Certificates shall be awarded on the basis of a combination of training, education, experience, and other prerequisites, as determined by the commission.

(2) In determining whether an applicant for certification has the requisite education, the commission shall recognize as acceptable college education only the following:

(A) Education provided by a community college, college, or university which has been accredited by the department of education of the state in which the community college, college, or university is located or by a recognized national or regional accrediting body.

(B) Until January 1, 1998, educational courses or degrees provided by a nonaccredited but state-approved college that offers programs exclusively in criminal justice.

(d) Persons who are determined by the commission to be eligible peace officers may make application for the certificates, provided they are employed by an agency which participates in the Peace Officer Standards and Training (POST) program.

(e) The commission shall have the authority to cancel any certificate that has been obtained through misrepresentation or fraud or that was issued as the result of an administrative error on the part of the commission or the employing agency.

(Added by Stats.1979, c. 231, p. 486, § 1. Amended by Stats.1992, c. 1249 (S.B.1126), § 4; Stats.2003, c. 297 (S.B.221), § 4.)



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## § 13510.2

### Historical and Statutory Notes

The 1992 amendment inserted subd. (c)(2), outlining what is to be recognized as acceptable college education; and made nonsubstantive changes.

Stats.2003, c. 297 (S.B.221), in subd. (a), added the second sentence; rewrote subd. (e); and deleted subd. (f). Prior to amendment, subds. (e) and (f) read:

"(e) Certificates remain the property of the commission and the commission shall have the power to cancel any certificate.

"(f) The commission shall cancel certificates issued to persons who have been convicted of, or entered a plea of guilty or nolo contendere to, a crime classified by statute or the Constitution as a felony."

### Cross References

District defined for purposes of this Chapter, see Penal Code § 13507.

Societies for the prevention of cruelty to children and animals, humane officers, training course attendance, see Corporations Code § 14502.

### Code of Regulations References

Certificate cancellation, see 11 Cal. Code of Regs. § 9078.

### Law Review and Journal Commentaries

Decertification of police: An alternative to traditional remedies for police misconduct.

Roger Goldman and Steven Puro, 15 Hastings Const.L.Q. 49 (1987).

### Library References

Municipal Corporations ¶184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

### Research References

#### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 63,  
Certification Program.

### Notes of Decisions

#### Cancellation of certificates 1

##### 1. Cancellation of certificates

The Commission on Peace Officer Standards and Training may adopt a regulation authorizing the withdrawal or cancellation of a valid certificate previously issued by it to a peace officer who has been adjudicated by a court of competent jurisdiction as person falling within the peace officer disqualification provisions of Government Code § 1029, subd. (a). 76 Op. Atty.Gen. 270, 12-8-93.

Without specificity regarding moral unfitness, the Commission on Peace Officer Standards

and Training may not adopt a regulation authorizing the withdrawal or cancellation of a valid certificate previously issued by it to a peace officer who has been convicted of, or entered a plea of guilty or nolo contendere to, an offense punishable in the discretion of the court by imprisonment in the state prison or by fine or imprisonment in the county jail, and (A) for which punishment has been imposed other than imprisonment in the state prison, or (B) for which probation has been granted without imposition of sentence and at the time of granting probation, or thereafter upon application of the defendant or probation officer, the court declared the offense to be a misdemeanor. 76 Op.Atty. Gen. 270, 12-8-93.

## § 13510.2. Misuse of certificates; misdemeanor; punishment

Any person who knowingly commits any of the following acts is guilty of a misdemeanor, and for each offense is punishable by a fine of not more than one thousand dollars (\$1,000) or imprisonment in the county jail not to exceed one year, or by both a fine and imprisonment:

(a) Presents or attempts to present as the person's own the certificate of another.



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- (b) Knowingly permits another to use his or her certificate.
  - (c) Knowingly gives false evidence of any material kind to the commission, or to any member thereof, including the staff, in obtaining a certificate.
  - (d) Uses, or attempts to use, a canceled certificate.
- (Added by Stats.1984, c. 43, § 3.)

### Cross References

Misdemeanors, definition and penalties, see Penal Code §§ 17, 19, 19.2.

### Library References

Municipal Corporations Ⓒ190.  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
655, 657, 660.

### Research References

#### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 67,  
Improper Use of Certificate.

## § 13510.3. Records supervisors; voluntary professional certification program; standards

(a) The commission shall establish, by December 31, 1997, and in consultation with representatives of law enforcement organizations, a voluntary professional certification program for law enforcement records supervisors who have primary responsibility for providing records supervising services for local law enforcement agencies. The certificate or certificates shall be based upon standards related to the education, training, and experience of law enforcement records supervisors and shall serve to foster professionalism and recognition of achievement and competency.

(b) As used in this section, "primary responsibility" refers to the performance of law enforcement records supervising duties for a minimum of 50 percent of the time worked within a pay period.

(Added by Stats.1996, c. 591 (A.B.3064), § 1.)

### Code of Regulations References

Disqualification notification requirements, see 11 Cal. Code of Regs. § 9041.  
Employment status notifications, peace officers, public safety dispatchers, records supervisors, see 11 Cal. Code of Regs. § 9040.  
Professional certificate, records supervisor, see 11 Cal. Code of Regs. § 9073.

### Library References

Municipal Corporations Ⓒ143.1, 184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 451, 620 to 622, 624 to 630, 657, 660.

## § 13510.5. Rules of minimum standards; certain peace officers

For the purpose of maintaining the level of competence of state law enforcement officers, the commission shall adopt, and may, from time to time amend, rules establishing minimum standards for training of peace officers as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, who are employed by any railroad company, the California State Police Division, the



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University of California Police Department, a California State University police department, the Department of Alcoholic Beverage Control, the Division of Investigation of the Department of Consumer Affairs, the Wildlife Protection Branch of the Department of Fish and Game, the Department of Forestry and Fire Protection, including the Office of the State Fire Marshal, the Department of Motor Vehicles, the California Horse Racing Board, the Bureau of Food and Drug, the Division of Labor Law Enforcement, the Director of Parks and Recreation, the State Department of Health Services, the Department of Toxic Substances Control, the State Department of Social Services, the State Department of Mental Health, the State Department of Developmental Services, the State Department of Alcohol and Drug Programs, the Office of Statewide Health Planning and Development, and the Department of Justice. All rules shall be adopted and amended pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(Added by Stats.1975, c. 1172, p. 2894, § 1. Amended by Stats.1979, c. 229, p. 483, § 2; Stats.1983, c. 143, § 211; Stats.1992, c. 427 (A.B.3355), § 135; Stats.1993, c. 409 (A.B.2308), § 3, eff. Sept. 17, 1993; Gov.Reorg.Plan No. 1 of 1995, § 55, eff. July 12, 1995; Gov.Reorg.Plan No. 3 of 1995, § 8, eff. Sept. 6, 1995; Stats.1996, c. 305 (A.B.3103), § 56; Stats.1996, c. 332 (A.B.3080), § 33.)

### Historical and Statutory Notes

The 1979 amendment rewrote that part of the first sentence, following "peace officers as defined in", which read: "subdivisions (b), (d), and (e) of Section 830.2, subdivisions (c), (d), (e), (f), (g), (h), (j), (l), and (o) of Section 830.3, Section 830.31, subdivisions (a)(1), (a)(6), and (a)(7) of Section 830.4 and special and narcotic agents or defined in subdivision (a) of Section 830.3".

The 1983 amendment substituted "State University" for "State University and Colleges", "Department of Forestry" for "Division of Forestry of the Department of Conservation" and "Department of Alcohol and Drug Programs" for "Department of Alcohol and Drug Abuse"; and in the last sentence, substituted "Chapter 3.5 (commencing with Section 11340)" for "Chapter 4.5 (commencing with Section 11371)".

The 1992 amendment made nonsubstantive changes to maintain the code.

The 1993 amendment inserted "the Department of Toxic Substances Control,".

Section 4 of Stats.1993, c. 409 (A.B.2308), provides:

"This act is declaratory of existing law."

Legislative findings, declarations and intent relating to Stats.1993, c. 409 (A.B.2308), see Historical and Statutory Notes under Penal Code § 830.3.

The 1995 amendment by Gov.Reorg.Plan No. 1 of 1995 deleted "the California State Police Division," following "any railroad company,".

The 1995 amendment by Gov.Reorg.Plan No. 3 of 1995 inserted "the California State Police Division," following "any railroad company," inserted "including the Office of the State Fire Marshal," following "Fire Protection," and deleted "the State Fire Marshal," following "Racing Board,".

The 1996 amendment incorporated the changes made by Gov.Reorg.Plan No. 3 of 1995.

Subordination of legislation by Stats.1996, c. 305 (A.B.3103), to other 1996 legislation, see Historical and Statutory Notes under Business and Professions Code § 21665.

Section affected by two or more acts at the same session of the legislature, see Government Code § 9605.

### Cross References

Department of Developmental Services, see Welfare and Institutions Code § 4400 et seq.  
Department of Health Care Services, generally, see Health and Safety Code § 100100 et seq.  
Department of Mental Health, generally, see Welfare and Institutions Code § 4000 et seq.

### Code of Regulations References

Academy instructor certificate program (AICP), see 11 Cal. Code of Regs. § 1009.



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### Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622  
624 to 630, 657, 660.

### Research References

#### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 61,  
Purpose of the Commission.

## § 13510.6. Repealed by Stats.2001, c. 745 (S.B.1191), § 161, eff. Oct. 12, 2001

### Historical and Statutory Notes

The repealed section, added by Stats.1997, c. 117 (S.B.366), § 2, related to school district peace officers.

Section 1 of Stats.1997, c. 117 (S.B.366), provides:

"The Legislature recognizes the importance of school safety and finds there is a need to ensure that professional standards are being maintained as school districts establish school police departments at an increasing rate."

## § 13510.7. Ineligibility status in training record; notification to law enforcement agencies of ineligibility; basic certificates; reinstatement

(a) Whenever any person holding a certificate issued pursuant to Section 13510.1 is determined to be disqualified from holding office or being employed as a peace officer for the reasons set forth in subdivision (a) of Section 1029 of the Government Code, and the person has exhausted or waived his or her appeal, pursuant to Section 1237 or Section 1237.5, from the conviction or finding that forms the basis for or accompanies his or her disqualification, the commission shall cause the following to be entered in the commission's training record for that person: "THIS PERSON IS INELIGIBLE TO BE A PEACE OFFICER IN CALIFORNIA PURSUANT TO GOVERNMENT CODE SECTION 1029(a)."

(b) Whenever any person who is required to possess a basic certificate issued by the commission pursuant to Section 832.4 or who is subject to subdivision (a) of Section 13510.1 is determined to be disqualified from holding office or being employed as a peace officer for the reasons set forth in subdivision (a) of Section 1029 of the Government Code, the commission shall notify the law enforcement agency that employs the person that the person is ineligible to be a peace officer in California pursuant to subdivision (a) of Section 1029 of the Government Code. The person's basic certificate shall be null and void and the commission shall enter this information in the commission's training record for that person.

(c) After the time for filing a notice of appeal has passed, or where the remittitur has been issued following the filing of a notice of appeal, in a criminal case establishing the ineligibility of a person to be a peace officer as specified in subdivision (c), the commission shall reinstate a person's basic certificate in the event a conviction of the offense requiring or accompanying ineligibility is subsequently overturned or reversed by the action of a court of competent jurisdiction.



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(d) Upon request of a person who is eligible for reinstatement pursuant to paragraph (2) of subdivision (b) of Section 1029 of the Government Code because of successful completion of probation pursuant to Section 1210.1 of the Penal Code, the court having jurisdiction over the matter in which probation was ordered pursuant to Section 1210.1 shall notify the commission of the successful completion and the misdemeanor nature of the person's conviction. The commission shall thereupon reinstate the person's eligibility. Reinstatement of eligibility in the person's training record shall not create a mandate that the person be hired by any agency.

(Added by Stats.2003, c. 297 (S.B.221), § 5. Amended by Stats.2004, c. 405 (S.B.1796), § 22.)

### Historical and Statutory Notes

Stats.2004, c. 405 (S.B.1796), in subd. (d), replaced an incorrect citation to Penal Code § 1201.1 with a citation to Penal Code § 1210.1 in two places.

Subordination of legislation by Stats.2004, c. 405 (S.B.1796), to other 2004 legislation and

cost reimbursement provisions, see Historical and Statutory Notes under Evidence Code § 912.

### Cross References

Misdemeanors, definition and penalties, see Penal Code §§ 17, 19, 19.2.

Public officers and employees, disqualification of peace officers, felonies, see Government Code § 1029.

### Code of Regulations References

Peace officer disqualification and certificate records, see 11 Cal. Code of Regs. § 9071.

### Library References

Municipal Corporations ☞ 184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

## § 13511. Place of training; alternative means of satisfying training requirement

(a) In establishing standards for training, the commission shall, so far as consistent with the purposes of this chapter, permit required training to be obtained at institutions approved by the commission.

(b) In those instances where individuals have acquired prior comparable peace officer training, the commission shall, adopt regulations providing for alternative means for satisfying the training required by Section 832.3. The commission shall charge a fee to cover administrative costs associated with the testing conducted under this subdivision.

(Added by Stats.1959, c. 1823, p. 4334, § 2. Amended by Stats.1980, c. 213, § 1; Stats.1986, c. 33, § 1; Stats.2000, c. 354 (A.B.1928), § 1.)

### Historical and Statutory Notes

The 1980 amendment designated the existing text as subd. (a); added subd. (b); substituted "shall" for "may" in subd. (a); and deleted "existing" preceding "institutions" in subd. (a).

The 1986 amendment deleted "and are under consideration for hire by an agency participating in the POST program" following "peace officer training" in the first sentence in subd. (b).



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Stats.2000, c. 354 (A.B.1928) rewrote subd. (b), which read:

"(b) In those instances where persons have acquired prior equivalent peace officer training, the commission shall, no later than July 1, 1981, and thereafter, provide the opportunity for testing in lieu of attendance at a basic training academy or accredited college. Tests shall be constructed to verify possession of minimum knowledge and skills required by the commission as outlined in its basic course. These tests

shall be scheduled periodically in convenient locations, and an opportunity shall be provided for testing and retesting under procedural guidelines established by the commission. The retesting procedures shall be designed so that any portion which has been previously passed need not be retaken. The commission shall charge a fee to cover administrative costs which is sufficient to cover all the costs associated with the testing conducted under this subdivision."

### Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

### § 13511.3. Approval of pertinent training completed by any jurisdiction's officers

The commission may evaluate and approve pertinent training previously completed by any jurisdiction's law enforcement officers as meeting current training requirements prescribed by the commission pursuant to this chapter. The evaluations performed by the commission shall conform to the standards established under this chapter.

(Added by Stats.1994, c. 43 (A.B.1329), § 2.)

### § 13511.5. Certification of no criminal history from Department of Justice; controlling firearms

Each applicant for admission to a basic course of training certified by the Commission on Peace Officer Standards and Training that includes the carrying and use of firearms, as prescribed by subdivision (a) of Section 832 and subdivision (a) of Section 832.3, who is not sponsored by a local or other law enforcement agency, or is not a peace officer employed by a state or local agency, department, or district, shall be required to submit written certification from the Department of Justice pursuant to Sections 11122, 11123, and 11124 that the applicant has no criminal history background which would disqualify him or her, pursuant to state or federal law, from owning, possessing, or having under his or her control a firearm.

(Added by Stats.1984, c. 785, § 1, eff. Aug. 28, 1984. Amended by Stats.1993, c. 606 (A.B.166), § 21, eff. Oct. 1, 1993; Stats.1998, c. 120 (S.B.1442), § 1; Stats.2008, c. 698 (A.B.837), § 27.)

### Historical and Statutory Notes

Section 3 of Stats.1984, c. 785, provides, in part:

"Convicted felons who have been barred from the possession of dangerous weapons are enrolling in Peace Officer Standards and Training (POST) Certified Basic Training given at publicly supported community colleges where intensive training in use of handguns, shotguns, and police weapons tactics occurs. Such enrollment endangers the instructors and other stu-

dents in these POST Certified Basic Courses, increases these institutions' insurability risks, and endangers the public safety."

The 1993 amendment, following "pursuant to Section 12021" inserted "or 12021.1 of this code, or Section 8100 or 8103 of the Welfare and Institutions Code"; and at the end of the section substituted "a firearm" for "any pistol, revolver, or other firearm capable of being concealed on the person".

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Stats.1998, c. 120 (S.B.1442), inserted "that includes the carrying and use of firearms, as prescribed by subdivision (a) of Section 832 and subdivision (a) of Section 832.3," following "Training".

Stats.2008, c. 698 (A.B.837), substituted "state or federal law" for "Section 12021 or 12021.1 of this code, or Section 8100 or 8103 of the Welfare and Institutions Code".

### Cross References

District defined for purposes of this Chapter, see Penal Code § 13507.

### Code of Regulations References

POST certification fees, see 11 Cal. Code of Regs. § 4003.

### Law Review and Journal Commentaries

Review of Selected 1993 California Legislation (Crimes; firearms control). Renee M. Cartier, 25 Pac. L.J. 535 (1994).

### Research References

#### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 65, Training.

## § 13512. Adherence to standards

The commission shall make such inquiries as may be necessary to determine whether every city, county, city and county, and district receiving state aid pursuant to this chapter is adhering to the standards for recruitment and training established pursuant to this chapter.

(Added by Stats.1959, c. 1823, p. 4334, § 2. Amended by Stats.1969, c. 1072, p. 2058, § 3.)

### Historical and Statutory Notes

The 1969 amendment made the section applicable to every "district" receiving state aid.

### Cross References

District defined for purposes of this Chapter, see Penal Code § 13507.

### Code of Regulations References

Disqualification notification requirements, see 11 Cal. Code of Regs. § 9041.

Employment status notifications, peace officers, public safety dispatchers, records supervisors, see 11 Cal. Code of Regs. § 9040.

### Library References

Municipal Corporations ¶184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

## § 13513. Counseling service

Upon the request of a local jurisdiction, the commission shall provide a counseling service to such local jurisdiction for the purpose of improving the administration, management or operations of a police agency and may aid such jurisdiction in implementing improved practices and techniques.

(Added by Stats.1967, c. 1640, p. 3931, § 4.)



**Code of Regulations References**

Services provided by the commission, see 11 Cal. Code of Regs. § 1016.

**Library References**

Municipal Corporations ⌘184(2).  
States ⌘45.  
Westlaw Topic Nos. 268, 360.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.  
C.J.S. States §§ 145 to 146, 157 to 161, 249.

**Research References**

**Encyclopedias**

CA Jur. 3d Law Enforcement Officers § 62,  
Provision of Equipment Funding; Counsel-  
ing Service to Local Jurisdiction.

**§ 13514. Use of tear gas**

The commission shall prepare a course of instruction for the training of peace officers in the use of tear gas. Such course of instruction may be given, upon approval by the commission, by any agency or institution engaged in the training or instruction of peace officers.

(Added by Stats.1969, c. 1231, p. 2389, § 13.)

**Library References**

Municipal Corporations ⌘184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

**Research References**

**Encyclopedias**

CA Jur. 3d Law Enforcement Officers § 68,  
Particular Courses of Instruction Included

in Basic Training Course; Additional Train-  
ing.

**§ 13514.1. Guidelines and training recommendations for SWAT operations; consultation with Attorney General's office; inclusion of initial training recommendations; legal and practice issues of SWAT operations; procedures for approving prior training**

(a) On or before July 1, 2005, the commission shall develop and disseminate guidelines and standardized training recommendations for all law enforcement officers, supervisors, and managers whose agency assigns them to perform, supervise, or manage Special Weapons and Tactics (SWAT) operations. The guidelines and standardized training recommendations shall be available for use by law enforcement agencies that conduct SWAT operations.

(b) The training and guidelines shall be developed in consultation with law enforcement officers, the Attorney General's office, supervisors, and managers, SWAT trainers, legal advisers, and others selected by the commission. Development of the training and guidelines shall include consideration of the recommendations contained in the Attorney General's Commission on Special Weapons and Tactics (S.W.A.T.) Final Report of 2002.

(c) The standardized training recommendations shall at a minimum include initial training requirements for SWAT operations, refresher or advanced

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training for experienced SWAT members, and supervision and management of SWAT operations.

(d) The guidelines shall at minimum address legal and practical issues of SWAT operations, personnel selection, fitness requirements, planning, hostage negotiation, tactical issues, safety, rescue methods, after-action evaluation of operations, logistical and resource needs, uniform and firearms requirements, risk assessment, policy considerations, and multijurisdictional SWAT operations.

(e) The guidelines shall provide procedures for approving the prior training of officers, supervisors, and managers that meet the standards and guidelines developed by the commission pursuant to this section, in order to avoid duplicative training.

(Added by Stats.2003, c. 624 (A.B.991), § 1.)

### Cross References

Attorney General, generally, see Government Code § 12500 et seq.

## § 13514.5. Training of law enforcement officers; handling of acts of civil disobedience; guidelines; implementation; legislative intent

(a) The commission shall implement on or before July 1, 1999, a course or courses of instruction for the training of law enforcement officers in the handling of acts of civil disobedience and adopt guidelines that may be followed by police agencies in responding to acts of civil disobedience.

(b) The course of training for law enforcement officers shall include adequate consideration of all of the following subjects:

- (1) Reasonable use of force.
- (2) Dispute resolution.
- (3) Nature and extent of civil disobedience, whether it be passive or active resistance.
- (4) Media relations.
- (5) Public and officer safety.
- (6) Documentation, report writing, and evidence collection.
- (7) Crowd control.

(c)(1) All law enforcement officers who have received their basic training before July 1, 1999, may participate in supplementary training on responding to acts of civil disobedience, as prescribed and certified by the commission.

(2) Law enforcement agencies are encouraged to include, as part of their advanced officer training program, periodic updates and training on responding to acts of civil disobedience. The commission shall assist these agencies where possible.

(d)(1) The course of instruction, the learning and performance objectives, the standards for the training and the guidelines shall be developed by the commission in consultation with appropriate groups and individuals having expertise in responding to acts of civil disobedience. The groups and individuals shall



include, but not be limited to, law enforcement agencies, police academy instructors, subject matter experts and members of the public. Different regional interests such as rural, suburban, and urban interests may be represented by the participating parties.

(2) The commission, in consultation with the groups and individuals described in paragraph (1), shall review existing training programs to determine in what ways civil disobedience training may be included as part of ongoing programs.

(e) As used in this section, "law enforcement officer" means any peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3.

(f) It is the intent of the Legislature in enacting this section to provide law enforcement officers with additional training so as to control acts of civil disobedience with reasonable use of force and to ensure public and officer safety with minimum disruption to commerce and community affairs.

(g) It is also the intent of the Legislature in enacting this section that the guidelines to be developed by the commission should take into consideration the roles and responsibilities of all law enforcement officers responding to acts of civil disobedience.

(Added by Stats.1998, c. 207 (S.B.1844), § 1.)

#### Library References

Municipal Corporations § 184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

### § 13515. Elder and dependent adult abuse training course; required for police officers or deputy sheriffs; contents; conditions; training materials

(a) Every city police officer or deputy sheriff at a supervisory level and below who is assigned field or investigative duties shall complete an elder and dependent adult abuse training course certified by the Commission on Peace Officer Standards and Training within 18 months of assignment to field duties. Completion of the course may be satisfied by telecourse, video training tape, or other instruction. The training shall, at a minimum, include all of the following subjects:

- (1) Relevant laws.
- (2) Recognition of elder and dependent adult abuse.
- (3) Reporting requirements and procedures.
- (4) Neglect of elders and dependent adults.
- (5) Fraud of elders and dependent adults.
- (6) Physical abuse of elders and dependent adults.
- (7) Psychological abuse of elders and dependent adults.
- (8) The role of the local adult protective services and public guardian offices.

(b) When producing new or updated training materials pursuant to this section, the commission shall consult with the Bureau of Medi-Cal Fraud and



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Elder Abuse and other subject matter experts. Any new or updated training materials shall address all of the following:

(1) The jurisdiction and responsibility of law enforcement agencies pursuant to Section 368.5.

(2) The fact that the protected classes of "dependent person" as defined in Section 288 and "dependent adult" as defined in Section 368 include many persons with disabilities, regardless of the fact that most of those persons live independently.

(3) Other relevant information and laws.

(c) The commission also may inform the law enforcement agencies of other relevant training materials.

(Added by Stats.1997, c. 444 (A.B.870), § 1. Amended by Stats.2000, c. 559 (A.B.1819), § 1; Stats.2010, c. 617 (S.B.110), § 8.)

### Historical and Statutory Notes

Stats.2000, c. 559 (A.B.1819), rewrote this section, which read:

"Every city police officer or deputy sheriff at a supervisory level and below who is assigned field or investigative duties shall complete an elder abuse training course certified by the Commission on Peace Officer Standards and Training by January 1, 1999, or within 18 months of assignment to field duties. Completion of the course may be satisfied by telecourse, video training tape, or other instruction. The training shall, at a minimum, address relevant laws, recognition, reporting requirements and procedures, neglect, and fraud. The course may be presented as part of a training program that includes other subjects or courses."

Section 2 of Stats.2000, c. 559 (A.B.1819), provides:

"SEC. 2. The Attorney General, in conjunction with the Health and Human Services Agency, shall establish a statewide elder and dependent adult abuse awareness media campaign. The Attorney General shall not expend any

funds to establish this media campaign unless funds are expressly appropriated for the purposes of this section. No government or elected official shall appear, or be referenced, in the elder and dependent adult abuse awareness media campaign."

Stats.2010, c. 617 (S.B.110), designated the introductory paragraph as subd. (a); redesignated former subds. (a) to (h) as pars. (1) to (8); and added subds. (b) and (c).

For short title of Stats.2010, c. 617 (S.B.110), see Historical and Statutory Notes under Penal Code § 368.5.

For letter of intent regarding Stats.2010, c. 617 (S.B.110), see Historical and Statutory Notes under Penal Code § 368.5.

### Former Notes

Former § 13515, added by Stats.1974, c. 962, § 1, relating to the preparation of a guidebook for police and citizens, was repealed by Stats. 1979, c. 229, § 3.

### Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

### Research References

#### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 68,  
Particular Courses of Instruction Included

in Basic Training Course; Additional Training.

## § 13515.25. Mentally disabled persons; law enforcement interaction; training course

(a) By July 1, 2006, the Commission on Peace Officer Standards and Training shall establish and keep updated a continuing education classroom training course relating to law enforcement interaction with mentally disabled persons.



The training course shall be developed by the commission in consultation with appropriate community, local, and state organizations and agencies that have expertise in the area of mental illness and developmental disability, and with appropriate consumer and family advocate groups. In developing the course, the commission shall also examine existing courses certified by the commission that relate to mentally disabled persons. The commission shall make the course available to law enforcement agencies in California.

(b) The course described in subdivision (a) shall consist of classroom instruction and shall utilize interactive training methods to ensure that the training is as realistic as possible. The course shall include, at a minimum, core instruction in all of the following:

- (1) The cause and nature of mental illnesses and developmental disabilities.
- (2) How to identify indicators of mental disability and how to respond appropriately in a variety of common situations.
- (3) Conflict resolution and de-escalation techniques for potentially dangerous situations involving mentally disabled persons.
- (4) Appropriate language usage when interacting with mentally disabled persons.
- (5) Alternatives to lethal force when interacting with potentially dangerous mentally disabled persons.
- (6) Community and state resources available to serve mentally disabled persons and how these resources can be best utilized by law enforcement to benefit the mentally disabled community.
- (7) The fact that a crime committed in whole or in part because of an actual or perceived disability of the victim is a hate crime punishable under Title 11.6 (commencing with Section 422.55) of Part 1.

(c) The commission shall submit a report to the Legislature by October 1, 2004, that shall include all of the following:

- (1) A description of the process by which the course was established, including a list of the agencies and groups that were consulted.
- (2) Information on the number of law enforcement agencies that utilized, and the number of officers that attended, the course or other courses certified by the commission relating to mentally disabled persons from July 1, 2001, to July 1, 2003, inclusive.
- (3) Information on the number of law enforcement agencies that utilized, and the number of officers that attended, courses certified by the commission relating to mentally disabled persons from July 1, 2000, to July 1, 2001, inclusive.
- (4) An analysis of the Police Crisis Intervention Training (CIT) Program used by the San Francisco and San Jose Police Departments, to assess the training used in these programs and compare it with existing courses offered by the commission in order to evaluate the adequacy of mental disability training available to local law enforcement officers.



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(d) The Legislature encourages law enforcement agencies to include the course created in this section, and any other course certified by the commission relating to mentally disabled persons, as part of their advanced officer training program.

(e) It is the intent of the Legislature to reevaluate, on the basis of its review of the report required in subdivision (c), the extent to which law enforcement officers are receiving adequate training in how to interact with mentally disabled persons.

(Added by Stats.2000, c. 200 (A.B.1718), § 1. Amended by Stats.2003, c. 269 (A.B.1102), § 2, eff. Sept. 4, 2003; Stats.2004, c. 700 (S.B.1234), § 27.)

**Historical and Statutory Notes**

Stats.2003, c. 269 (A.B.1102), in subd. (c), in the introductory paragraph, substituted "October 1, 2004" for "October 1, 2003", and added par. (4).

Sections 1 and 3 of Stats.2003, c. 269 (A.B.1102), provide:

"SECTION 1. The Legislature finds and declares the following:

"(a) Many of the incoming calls received by police and law enforcement departments involve situations with seriously emotionally disturbed and mentally ill persons. Poverty, homelessness, substance addiction, and mental illness are not in themselves police problems. They are health and economic problems that have become law enforcement problems because of inadequate funding and manpower resources, and the stigma the community places upon the mentally ill. Until more resources are allocated to community treatment services, health care providers and law enforcement will share joint responsibility for dealing with severely mentally ill persons. The Police Crisis Intervention Training Program used by the San Francisco and San Jose Police Departments is an example of one joint effort. It is designed to give law enforcement officers additional resources and skills with which to perform their jobs more effectively.

"(b) It is critical that law enforcement mental health training be developed for the local community. There are as many differences, if not more, as there are similarities in each community regarding issues involving local police, mental health providers, and mentally ill persons. Local police, local staff from community mental health services and agencies, local mental health advocates, and local mental health consumers must work together to create the training and curriculum that is customized for each particular community."

"SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go

into immediate effect. The facts constituting the necessity are:

"To override current law and extend by one year the date by which the Peace Officers Standards and Training Commission is required to submit to the Legislature a specified report relating to peace officer training regarding persons with developmental disabilities or mental illness, it is necessary that this act go into immediate effect."

Stats.2004, c. 700 (S.B.1234), rewrote this section, which read:

"(a) The Commission on Peace Officer Standards and Training shall, on or before June 30, 2001, establish and keep updated a continuing education classroom training course relating to law enforcement interaction with developmentally disabled and mentally ill persons. The training course shall be developed by the commission in consultation with appropriate community, local, and state organizations and agencies that have expertise in the area of mental illness and developmental disability, and with appropriate consumer and family advocate groups. In developing the course, the commission shall also examine existing courses certified by the commission that relate to mentally ill and developmentally disabled persons. The commission shall make the course available to law enforcement agencies in California.

"(b) The course described in subdivision (a) shall consist of classroom instruction and shall utilize interactive training methods to ensure that the training is as realistic as possible. The course shall include, at a minimum, core instruction in all of the following:

"(1) The cause and nature of mental illnesses and developmental disabilities.

"(2) How to identify indicators of mental illness and developmental disability and how to respond appropriately in a variety of common situations.

"(3) Conflict resolution and de-escalation techniques for potentially dangerous situations



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involving mentally ill and developmentally disabled persons.

"(4) Appropriate language usage when interacting with mentally ill and developmentally disabled persons.

"(5) Alternatives to lethal force when interacting with potentially dangerous mentally ill and developmentally disabled persons.

"(6) Community and state resources available to serve mentally ill and developmentally disabled persons and how these resources can be best utilized by law enforcement to benefit the mentally ill and developmentally disabled community.

"(c) The commission shall submit a report to the Legislature by October 1, 2004, that shall include all of the following:

"(1) A description of the process by which the course was established, including a list of the agencies and groups that were consulted.

"(2) Information on the number of law enforcement agencies that utilized, and the number of officers that attended, the course or other courses certified by the commission relating to mentally ill and developmentally disabled persons from July 1, 2001, to July 1, 2003, inclusive.

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"(3) Information on the number of law enforcement agencies that utilized, and the number of officers that attended, courses certified by the commission relating to mentally ill and developmentally disabled persons from July 1, 2000, to July 1, 2001, inclusive.

"(4) An analysis of the Police Crisis Intervention Training (CIT) Program used by the San Francisco and San Jose Police Departments, to assess the training used in these programs and compare it with existing courses offered by the commission in order to evaluate the adequacy of mental illness and developmental disability training available to local law enforcement officers.

"(d) The Legislature encourages law enforcement agencies to include the course created in this section, or any other course certified by the commission relating to mentally ill and developmentally disabled persons, as part of their advanced officer training program.

"(e) It is the intent of the Legislature to re-evaluate, on the basis of its review of the report required in subdivision (c), the extent to which law enforcement officers are receiving adequate training in how to interact with mentally ill and developmentally disabled persons."

### Library References

Municipal Corporations ☞184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

## § 13515.35. Training course on recognizing and interacting with persons with autistic spectrum disorders

(a) The commission shall, upon the next regularly scheduled review of a training module relating to persons with disabilities, create and make available on DVD and may distribute electronically a course on how to recognize and interact with persons with autistic spectrum disorders. This course shall be designed for, and made available to, peace officers who are first responders to emergency situations.

(b) The training course shall be developed by the commission in consultation with the Department of Developmental Services and appropriate community, local, or other state organizations and agencies that have expertise in the area of autism spectrum disorders. The commission shall make the course available to law enforcement agencies in California.

(c) In addition to the duties contained in subdivisions (a) and (b), the commission shall distribute, as necessary, a training bulletin via the Internet to law enforcement agencies participating in the commission's program on the topic of autism spectrum disorders.

(Added by Stats.2008, c. 621 (S.B.1531), § 1.)

### Cross References

Department of Developmental Services, see Welfare and Institutions Code § 4400 et seq.



## Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

**§ 13515.36. Traumatic brain injury (TBI) and post-traumatic stress disorder (PTSD); assessment of training needs of emergency first responders; training format; course development and availability to first responders and law enforcement agencies; training bulletin; report to Legislature**

(a) The commission shall meet with the Department of Veterans Affairs and community, local, or other state organizations and agencies that have expertise in the area of traumatic brain injury (TBI) and post-traumatic stress disorder (PTSD) in order to assess the training needed by peace officers, who are first responders in emergency situations, on the topic of returning veterans or other persons suffering from TBI or PTSD.

(b) Should the commission determine that there is an unfulfilled need for training on TBI and PTSD, the commission shall determine the training format that is both fiscally responsible and meets the training needs of the greatest number of officers.

(c) Should the commission determine that there is an unfulfilled need for training on TBI and PTSD, the commission shall, upon the next regularly scheduled review of a training module relating to persons with disabilities, create and make available on DVD and may distribute electronically, or provide by means of another form or method of training, a course on how to recognize and interact with returning veterans or other persons suffering from TBI or PTSD. This course shall be designed for, and made available to, peace officers who are first responders to emergency situations.

(d) The training course shall be developed by the commission in consultation with the Department of Veterans Affairs and appropriate community, local, or other state organizations and agencies that have expertise in the area of TBI and PTSD. The commission shall make the course available to law enforcement agencies in California.

(e) In addition to the duties contained in subdivisions (a), (b), (c), and (d), the commission shall distribute, as necessary, a training bulletin via the Internet to law enforcement agencies participating in the commission's program on the topic of TBI and PTSD.

(f) The commission shall report to the Legislature, no later than June 30, 2012, on the extent to which peace officers are receiving adequate training in how to interact with persons suffering from TBI or PTSD.

(g)(1) The requirement for submitting a report imposed under subdivision (f) is inoperative on June 30, 2016, pursuant to Section 10231.5 of the Government Code.

(2) A report to be submitted pursuant to subdivision (f) shall be submitted in compliance with Section 9795 of the Government Code.

(Added by Stats.2010, c. 490 (S.B.1296), § 1.)



**§ 13515.55. High technology crimes and computer seizure training course**

Every city police officer or deputy sheriff at a supervisory level who is assigned field or investigative duties shall complete a high technology crimes and computer seizure training course certified by the Commission on Peace Officer Standards and Training by January 1, 2000, or within 18 months of assignment to supervisory duties. Completion of the course may be satisfied by telecourse, video training tape, or other instruction. This training shall be offered to all city police officers and deputy sheriffs as part of continuing professional training. The training shall, at a minimum, address relevant laws, recognition of high technology crimes, and computer evidence collection and preservation.

(Added by Stats.1998, c. 826 (A.B.2351), § 3. Amended by Stats.1999, c. 83 (S.B.966), § 165.)

**Historical and Statutory Notes**

Section 5 of Stats.1998, c. 826 (A.B.2351), provides:

"SEC. 5. This act shall become operative only if Senate Bill 1796 [Stats.1998, c. 825] is also enacted and becomes operative on or before January 1, 1999."

Stats.1999, c. 83 (S.B.966), made nonsubstantive changes to maintain the code.

Subordination of legislation by Stats.1999, c. 83 (S.B.966), to other 1999 legislation, see Historical and Statutory Notes under Business and Professions Code § 2530.2.

**Library References**

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622, 624 to 630, 657, 660.

**Research References**

**Encyclopedias**

CA Jur. 3d Law Enforcement Officers § 68,  
Particular Courses of Instruction Included

in Basic Training Course; Additional Training.

**§ 13516. Sexual assault cases; standard investigative procedures; training; legislative intent**

(a) The commission shall prepare guidelines establishing standard procedures which may be followed by police agencies in the investigation of sexual assault cases, and cases involving the sexual exploitation or sexual abuse of children, including, police response to, and treatment of, victims of these crimes.

(b) The course of training leading to the basic certificate issued by the commission shall, on and after July 1, 1977, include adequate instruction in the procedures described in subdivision (a). No reimbursement shall be made to local agencies based on attendance on or after that date at any course which does not comply with the requirements of this subdivision.

(c) The commission shall prepare and implement a course for the training of specialists in the investigation of sexual assault cases, child sexual exploitation cases, and child sexual abuse cases. Officers assigned to investigation duties which include the handling of cases involving the sexual exploitation or sexual abuse of children, shall successfully complete that training within six months of the date the assignment was made.



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(d) It is the intent of the Legislature to encourage the establishment of sex crime units throughout the state, which units shall include crimes involving the sexual exploitation of children.

(e) It is the further intent of the Legislature to encourage the establishment of investigation units to take into consideration the sensitive nature of the sexual abuse of children with respect to both the accused and the victim.

(Added by Stats.1976, c. 750, p. 1782, § 2. Stats.1981, c. 1062, § 1; Stats.1985, c. 1262, § 1.1986.)

### **Historical and Statutory Notes**

The 1980 amendment substituted "a course of training" for "an optional course of training" in subd. (c); and added the second sentence of subd. (c), relating to completion of training of officers.

The 1981 amendment included in subds. (a), (c) and (d) cases involving sexual exploitation or sexual abuse of children; substituted in the first sentence of subd. (c) "course for the training" for "course of training"; deleted in the second sentence of subd. (c) "sexual assault" preceding "investigation specialists"; inserted in the second sentence subd. (c) "for these crimes" following "investigation specialists"; and substituted in the second sentence of subd. (c) "their

### **Law Review and Journals**

Child sexual abuse in California: Legislative and judicial responses. 15 Golden Gate U. L. Rev. 437 (1985).

### **Library References**

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

### **Research References**

#### **Encyclopedias**

- CA Jur. 3d Law Enforcement Officers § 68, Particular Courses of Instruction Included in Basic Training Course; Additional Training.
- CA Jur. 3d Law Enforcement Officers § 70, Preparation of Guidelines for Police Agencies.

## **§ 13517. Child abuse or neglect; procedures for response, and interviewing specialists**

(a) The commission shall prepare guidelines which may be followed by police agencies and response to cases in which a minor is a victim of child abuse or neglect.



prohibited by this code. The guidelines shall include procedures for determining whether or not a child should be taken into protective custody. The guidelines shall also include procedures for minimizing the number of times a child is interviewed by law enforcement personnel.

(b) The course of training leading to the basic certificate issued by the commission shall, not later than July 1, 1979, include adequate instruction in the procedures described in subdivision (a).

(c) The commission shall prepare and implement an optional course of training of specialists in the investigation of cases in which a minor is a victim of an act of abuse or neglect prohibited by this code.

(d) The commission shall consult with the State Office of Child Abuse Prevention in developing the guidelines and optional course of training.

(Formerly § 13517, added by Stats.1978, c. 1225, p. 3958, § 7. Renumbered § 13518 and amended by Stats.1979, c. 373, p. 1358, § 252. Renumbered § 13517 and amended by Stats.1980, c. 676, § 260. Amended by Stats.1985, c. 672, § 1.)

#### Historical and Statutory Notes

The 1979 amendment renumbered the section as § 13518 without further change.

The 1980 amendment renumbered the section without further change as § 13517.

The 1985 amendment added the third sentence to subd. (a), relating to guidelines to minimize interviews of children.

#### Former Notes

Another § 13517, added by Stats.1978, c. 963, p. 2966, § 2, was renumbered § 13518 and amended by Stats.1979, c. 228, p. 481, § 1.

#### Law Review and Journal Commentaries

Reporting child abuse: When moral obligations fail. 15 Pac. L.J. 189 (1983).

#### Library References

Infants Ⓒ1556.  
Municipal Corporations Ⓒ184(2).  
Westlaw Topic Nos. 211, 268.

C.J.S. Municipal Corporations §§ 620 to 622, 624 to 630, 657, 660.

#### Research References

##### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 68, Particular Courses of Instruction Included in Basic Training Course; Additional Training.

CA Jur. 3d Law Enforcement Officers § 70, Preparation of Guidelines for Police Agencies.

##### Treatises and Practice Aids

10 Witkin, California Summary 10th Parent and Child § 3, (S 3) in General.

### § 13517.5. Minor witnesses; interview procedures

The commission shall prepare guidelines establishing standard procedures which may be followed by police agencies and prosecutors in interviewing minor witnesses.

(Added by Stats.1987, c. 612, § 1.)



• **Research References**

**Encyclopedias**

CA Jur. 3d Law Enforcement Officers § 70,  
Preparation of Guidelines for Police Agencies.

**Notes of Decisions**

**Construction with other laws 1**

**1. Construction with other laws**

Superior courts may not adopt local rules to prohibit law enforcement officers from (1) interrogating a minor in a juvenile detention facility, including before the filing of a juvenile petition,

without permission of the minor's attorney, (2) removing a minor from a juvenile detention facility temporarily for investigative purposes without permission of the minor's parent, attorney, probation officer, and a juvenile court judge, or (3) placing the juvenile in a lineup without permission of a juvenile court judge. Op. Atty. Gen. 02-1207 (Sept. 4, 2003), 2003 WL 22070303.

**§ 13517.7. Guidelines and training for child safety when a caretaker parent or guardian is arrested**

(a) The commission shall develop guidelines and training for use by state and local law enforcement officers to address issues related to child safety when a caretaker parent or guardian is arrested.

(b) The guidelines and training shall, at a minimum, address the following subjects:

(1) Procedures to ensure that officers and custodial employees inquire whether an arrestee has minor dependent children without appropriate supervision.

(2) Authorizing additional telephone calls by arrestees so that they may arrange for the care of minor dependent children.

(3) Use of county child welfare services, as appropriate, and other similar service providers to assist in the placement of dependent children when the parent or guardian is unable or unwilling to arrange suitable care for the child or children.

(4) Identification of local government or nongovernmental agencies able to provide appropriate custodial services.

(5) Temporary supervision of minor children to ensure their safety and well-being.

(6) Sample procedures to assist state and local law enforcement agencies to develop ways to ensure the safety and well-being of children when the parent or guardian has been arrested.

(c) The commission shall use appropriate subject matter experts, including representatives of law enforcement and county child welfare agencies, in developing the guidelines and training required by this section.

(Added by Stats.2006, c. 729 (A.B.1942), § 2.)

**Cross References**

Child safety in event of arrest of caretaker parent or guardian, development of protocols for agency collaboration, see Penal Code § 833.2.



Library References

Infants Ⓒ1556.  
Municipal Corporations Ⓒ184(2).  
Westlaw Topic Nos. 211, 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

**§ 13518. First aid and cardiopulmonary resuscitation; exclusion of certain personnel**

(a) Every city police officer, sheriff, deputy sheriff, marshal, deputy marshal, peace officer member of the Department of the California Highway Patrol, and police officer of a district authorized by statute to maintain a police department, except those whose duties are primarily clerical or administrative, shall meet the training standards prescribed by the Emergency Medical Services Authority for the administration of first aid and cardiopulmonary resuscitation. This training shall include instruction in the use of a portable manual mask and airway assembly designed to prevent the spread of communicable diseases. In addition, satisfactory completion of periodic refresher training or appropriate testing in cardiopulmonary resuscitation and other first aid as prescribed by the Emergency Medical Services Authority shall also be required.

(b) The course of training leading to the basic certificate issued by the commission shall include adequate instruction in the procedures described in subdivision (a). No reimbursement shall be made to local agencies based on attendance at any such course which does not comply with the requirements of this subdivision.

(c) As used in this section, "primarily clerical or administrative" means the performance of clerical or administrative duties for a minimum of 90 percent of the time worked within a pay period.

(Formerly § 13517, added by Stats.1978, c. 963, p. 2966, § 2. Renumbered § 13518 and amended by Stats.1979, c. 228, p. 481, § 1, eff. July 9, 1979. Amended by Stats.1983, c. 1246, § 43; Stats.1985, c. 289, § 1; Stats.1987, c. 1334, § 1; Gov.Reorg. Plan No. 1 of 1995, § 56, eff. July 12, 1995; Stats.1996, c. 305 (A.B.3103), § 57.)

**Historical and Statutory Notes**

The 1979 amendment renumbered the section; included California State Police as trainees; in subd. (a), added a sentence exempting officers with primarily clerical or administrative duties; and added subd. (c).

The 1983 amendment rewrote subd. (a); deleted "on and after July 1, 1979" following "issued by the commission shall" in the first sentence of subd. (b); and deleted "on or after such date" following "based on attendance" in the second sentence of subd. (b). Prior to amendment, subd. (a) read:

"(a) All policemen, sheriffs, deputy sheriffs, members of the California State Police, and members of the California Highway Patrol shall be trained to administer first aid, including, but not limited to, cardiopulmonary resuscitation. Satisfactory completion of a refresher course in cardiopulmonary resuscitation and other first aid every three years shall also be required.

This section shall not apply to policemen, sheriffs, deputy sheriffs, members of the California State Police, and members of the California Highway Patrol whose permanently assigned duties are primarily clerical or administrative."

The 1985 amendment inserted "marshal, deputy marshal" at the beginning of subd. (a).

Section 2 of Stats.1985, c. 289, provided:

"It is the intent of the Legislature that peace officer members of a marshal's office meet the first aid and cardiopulmonary resuscitation standards prescribed by the Emergency Medical Services Authority as part of the selection and training standards for marshals and deputy marshals established by the Commission on Peace Officer Standards and Training. A marshal's office choosing not to comply with the optional selection and training standards of the commission will not be required to meet the first aid and cardiopulmonary resuscitation



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training requirements prescribed by the Emergency Medical Services Authority.

"Reimbursement for the cost of the first aid and cardiopulmonary resuscitation training for marshals and deputy marshals shall be in accordance with commission regulations and payable from the Peace Officers' Training Fund."

The 1987 amendment inserted the second sentence in subd. (a), relating to training to use devices to prevent the spread of communicable diseases.

Provision for first aid training of policemen, sheriffs, deputy sheriffs, and members of the California highway patrol was formerly made in Health and Safety Code § 217.

The 1995 amendment by Gov.Reorg.Plan No. 1 of 1995 deleted "peace officer member of the California State Police," following "deputy marshal," in subd. (a), and inserted "Department of the" preceding "California Highway Patrol".

California State Police funds, officers and employees, and property; regulations or actions adopted in administration of a program; responsibility for established judgments, claims or liabilities arising from actions of State Police Division or Department of General Services; transfer to California Department of Highway

Patrol by Gov.Reorg.Plan No. 1 of 1995, see Historical and Statutory Notes under Business and Professions Code § 21665.

The 1996 amendment incorporated the changes made by the Gov.Reorg.Plan No. 1 of 1995.

For legislative intent of Stats.1996, c. 305 (A.B.3103), see Historical and Statutory Notes under Business and Professions Code § 21665.

For provisions relating to the transfer of employees, property, programs, authority, responsibilities, and liabilities to the Department of the California Highway Patrol, see Historical and Statutory Notes under Business and Professions Code § 21665.

Subordination of legislation by Stats.1996, c. 305 (A.B.3103), to other 1996 legislation, see Historical and Statutory Notes under Business and Professions Code § 21665.

### Former Notes

Another § 13518, formerly § 13517, added by Stats.1978, c. 1225, p. 3958, § 7, renumbered § 13518 and amended by Stats.1979, c. 373, p. 1358, § 252, was renumbered § 13517 and amended by Stats.1980, c. 676, § 260.

### Cross References

District defined for purposes of this Chapter, see Penal Code § 13507.

First aid and cardiopulmonary training for peace officers, see Health and Safety Code § 1797.183.

### Code of Regulations References

First aid for public safety personnel, general provisions, see 22 Cal. Code of Regs. § 100016 et seq.

### Law Review and Journal Commentaries

Capital punishment. Robert M. Sanger, 44 Santa Clara L. Rev. 101 (2003).

### Library References

Municipal Corporations Ⓒ184(2).

Sheriffs and Constables Ⓒ3, 19.

Westlaw Topic Nos. 268, 353.

C.J.S. Municipal Corporations §§ 620 to 622, 624 to 630, 657, 660.

C.J.S. Sheriffs and Constables §§ 3 to 4, 36 to 37.

### Research References

#### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 68, Particular Courses of Instruction Included in Basic Training Course; Additional Training.

#### Treatises and Practice Aids

California Affirmative Defenses 2d § 38:48, Cardiopulmonary Resuscitation and Respiratory Care.



Notes of Decisions

Failure to aid 1

1. Failure to aid

County was not liable, this section generally requiring all peace officers to be trained in first

aid and cardiopulmonary resuscitation, for failure of its police officers to aid a person they discovered during course of their investigation wholly "dependent" upon them for emergency aid. *Rose v. Plumas County* (App. 3 Dist. 1984) 199 Cal.Rptr. 842, 152 Cal.App.3d 999. Counties ⇐ 146

**§ 13518.1. Cardiopulmonary resuscitation; manual masks and airway assemblies**

In order to prevent the spread of communicable disease, every law enforcement agency employing peace officers described in subdivision (a) of Section 13518 shall provide to each of these peace officers an appropriate portable manual mask and airway assembly for use when applying cardiopulmonary resuscitation.

(Added by Stats.1987, c. 1334, § 2.)

**§ 13519. Domestic violence complaints; training course and guidelines for handling; requirements**

(a) The commission shall implement by January 1, 1986, a course or courses of instruction for the training of law enforcement officers in California in the handling of domestic violence complaints and also shall develop guidelines for law enforcement response to domestic violence. The course or courses of instruction and the guidelines shall stress enforcement of criminal laws in domestic violence situations, availability of civil remedies and community resources, and protection of the victim. Where appropriate, the training presenters shall include domestic violence experts with expertise in the delivery of direct services to victims of domestic violence, including utilizing the staff of shelters for battered women in the presentation of training.

(b) As used in this section, "law enforcement officer" means any officer or employee of a local police department or sheriff's office, any peace officer of the Department of Parks and Recreation, as defined in subdivision (f) of Section 830.2, any peace officer of the University of California Police Department, as defined in subdivision (b) of Section 830.2, any peace officer of the California State University Police Departments, as defined in subdivision (c) of Section 830.2, a peace officer, as defined in subdivision (d) of Section 830.31, or a peace officer as defined in subdivisions (a) and (b) of Section 830.32.

(c) The course of basic training for law enforcement officers shall, no later than January 1, 1986, include adequate instruction in the procedures and techniques described below:

(1) The provisions set forth in Title 5 (commencing with Section 13700) relating to response, enforcement of court orders, and data collection.

(2) The legal duties imposed on peace officers to make arrests and offer protection and assistance including guidelines for making felony and misdemeanor arrests.



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(3) Techniques for handling incidents of domestic violence that minimize the likelihood of injury to the officer and that promote the safety of the victim.

(4) The nature and extent of domestic violence.

(5) The signs of domestic violence.

(6) The legal rights of, and remedies available to, victims of domestic violence.

(7) The use of an arrest by a private person in a domestic violence situation.

(8) Documentation, report writing, and evidence collection.

(9) Domestic violence diversion as provided in Chapter 2.6 (commencing with Section 1000.6) of Title 6 of Part 2.

(10) Tenancy issues and domestic violence.

(11) The impact on children of law enforcement intervention in domestic violence.

(12) The services and facilities available to victims and batterers.

(13) The use and applications of this code in domestic violence situations.

(14) Verification and enforcement of temporary restraining orders when (A) the suspect is present and (B) the suspect has fled.

(15) Verification and enforcement of stay-away orders.

(16) Cite and release policies.

(17) Emergency assistance to victims and how to assist victims in pursuing criminal justice options.

(d) The guidelines developed by the commission shall also incorporate the foregoing factors.

(e)(1) All law enforcement officers who have received their basic training before January 1, 1986, shall participate in supplementary training on domestic violence subjects, as prescribed and certified by the commission.

(2) Except as provided in paragraph (3), the training specified in paragraph (1) shall be completed no later than January 1, 1989.

(3)(A) The training for peace officers of the Department of Parks and Recreation, as defined in subdivision (g) of Section 830.2, shall be completed no later than January 1, 1992.

(B) The training for peace officers of the University of California Police Department and the California State University Police Departments, as defined in Section 830.2, shall be completed no later than January 1, 1993.

(C) The training for peace officers employed by a housing authority, as defined in subdivision (d) of Section 830.31, shall be completed no later than January 1, 1995.

(4) Local law enforcement agencies are encouraged to include, as a part of their advanced officer training program, periodic updates and training on domestic violence. The commission shall assist where possible.

(f)(1) The course of instruction, the learning and performance objectives, the standards for the training, and the guidelines shall be developed by the



commission in consultation with appropriate groups and individuals having an interest and expertise in the field of domestic violence. The groups and individuals shall include, but shall not be limited to, the following: one representative each from the California Peace Officers' Association, the Peace Officers' Research Association of California, the State Bar of California, the California Women Lawyers' Association, and the State Commission on the Status of Women; two representatives from the commission; two representatives from the California Partnership to End Domestic Violence; two peace officers, recommended by the commission, who are experienced in the provision of domestic violence training; and two domestic violence experts, recommended by the California Partnership to End Domestic Violence, who are experienced in the provision of direct services to victims of domestic violence and at least one representative of service providers serving the lesbian, gay, bisexual, and transgender community in connection with domestic violence. At least one of the persons selected shall be a former victim of domestic violence.

(2) The commission, in consultation with these groups and individuals, shall review existing training programs to determine in what ways domestic violence training might be included as a part of ongoing programs.

(g) Each law enforcement officer below the rank of supervisor who is assigned to patrol duties and would normally respond to domestic violence calls or incidents of domestic violence shall complete, every two years, an updated course of instruction on domestic violence that is developed according to the standards and guidelines developed pursuant to subdivision (d). The instruction required pursuant to this subdivision shall be funded from existing resources available for the training required pursuant to this section. It is the intent of the Legislature not to increase the annual training costs of local government entities.

(Added by Stats.1984, c. 1609, § 2. Amended by Stats.1985, c. 281, § 1, eff. July 26, 1985; Stats.1989, c. 850, § 3; Stats.1991, c. 912 (S.B.421), § 1; Stats.1993, c. 1098 (A.B.1268), § 8; Stats.1995, c. 965 (S.B.132), § 1; Stats.1998, c. 606 (S.B.1880), § 13; Stats.1998, c. 701 (A.B.2172), § 1; Stats.1999, c. 659 (S.B.355), § 4; Stats.2006, c. 856 (A.B.2051), § 6.)

#### Historical and Statutory Notes

The 1985 amendment substituted "Title 6" for "Title 5" in subd. (b)(8).

The 1989 amendment added references to peace officers of the Department of Parks and Recreation throughout the section.

The 1991 amendment, in the definition of "law enforcement officer" which specifies officers required to receive training in domestic violence subjects, inserted peace officers belonging to the University of California police department and the California State University Police Departments; set time limitations for completion of the training of such university officers; and made nonsubstantive changes.

The 1993 amendment, in subd. (a), added "or a peace officer, as defined in subdivision (d)

of Section 830.31"; in subd. (c)(3), redesignated the first paragraph as subpars. (A) and (B), and inserted subpar. (C), relating to training for peace officers employed by a housing authority; and made other nonsubstantive changes.

The 1995 amendment, in the final paragraph of subd. (c), relating to periodic updates and training on domestic violence, inserted the paragraph designator "(4)" and made a nonsubstantive change; and rewrote subd. (e), which read:

"(e) Forty thousand dollars (\$40,000) is appropriated from the Peace Officers Training Fund in augmentation of Item 8120-001-268 of the Budget Act of 1984, to support the travel, per diem, and associated costs for convening the necessary experts."



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Subordination of legislation by Stats.1998, c. 606 (S.B.1880), to other 1998 legislation, see Historical and Statutory Notes under Code of Civil Procedure § 219.

Stats.1998, c. 701 (A.B.2172), designated the paragraph following subd. (a) as subd. (b) and redesignated the remaining subdivisions accordingly; and in redesignated subd. (c), inserted par. (5), listing the signs of domestic violence as an instruction topic, and redesignated pars. (5) to (16) as pars. (6) to (17).

Stats.1999, c. 659 (S.B.355), in subd. (b), deleted "or" following "(c) of Section 830.2," and added ", or a peace officer as defined in subdivisions (a) and (b) of Section 830.32".

Stats.2006, c. 856 (A.B.2051), in subd. (c)(2) inserted "peace"; and rewrote subd. (f)(1), which read:

"(f)(1) The course of instruction, the learning and performance objectives, the standards for the training, and the guidelines shall be developed by the commission in consultation with appropriate groups and individuals having an

interest and expertise in the field of domestic violence. The groups and individuals shall include, but shall not be limited to, the following: one representative each from the California Peace Officers' Association, the Peace Officers' Research Association of California, the State Bar of California, the California Women Lawyers' Association, and the State Commission on the Status of Women; two representatives from the commission; two representatives from the California Alliance Against Domestic Violence; two peace officers, recommended by the commission, who are experienced in the provision of domestic violence training; and two domestic violence experts, recommended by the California Alliance Against Domestic Violence, who are experienced in the provision of direct services to victims of domestic violence. At least one of the persons selected shall be a former victim of domestic violence."

For short title of Stats.2006, c. 856 (A.B. 2051), see Historical and Statutory Notes under Family Code § 298.

### Cross References

Felonies, definition and penalties, see Penal Code §§ 17, 18.

Misdemeanors, definition and penalties, see Penal Code §§ 17, 19, 19.2.

### Law Review and Journal Commentaries

Domestically violent attorneys: Resuscitating and transforming a dusty, old punitive approach to attorney discipline into a viable prescription for rehabilitation. Ignascio G. Camarena II, 31 Golden Gate U. L. Rev. 155 (2001).

Mandatory arrest: Do we need to take a closer look? Arthur L. Rizer III, 36 UWLA L. Rev. 1 (2005).

Review of Selected 1995 California Legislation. 27 Pac. L.J. 349 (1996).

### Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622, 624 to 630, 657, 660.

### Research References

#### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 69, Particular Courses of Instruction Included in Basic Training Course; Additional Training--Additional Training Required for Certain Officers.

CA Jur. 3d Law Enforcement Officers § 70, Preparation of Guidelines for Police Agencies.

#### Treatises and Practice Aids

California Jury Instructions - Criminal, 6th Ed. 7.17, Threatening Witnesses, Victims, Informants.

11 Witkin, California Summary 10th Husband and Wife § 372, (S 372) Criminal Proceedings.

### United States Code Annotated

Violence against women prevention, grants to assist law enforcement, see 42 U.S.C.A. § 3796gg et seq.

## § 13519.05. Stalking; training course and guidelines

(a) The commission shall implement by January 1, 2002, a course or courses of instruction for the training of law enforcement officers in California in the handling of stalking complaints and also shall develop guidelines for law



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enforcement response to stalking. The course or courses of instruction and the guidelines shall stress enforcement of criminal laws in stalking situations, availability of civil remedies and community resources, and protection of the victim. Where appropriate, the training presenters shall include stalking experts with expertise in the delivery of direct services to victims of stalking. Completion of the course may be satisfied by telecommunication, video training tape, or other instruction.

(b)(1) As used in this section, "law enforcement officer" means any officer or employee of a local police department or sheriff's office, any peace officer of the Department of Parks and Recreation, as defined in subdivision (f) of Section 830.2, any peace officer of the University of California Police Department, as defined in subdivision (b) of Section 830.2, any peace officer of the California State University Police Departments, as defined in subdivision (c) of Section 830.2, a peace officer, as defined in subdivision (d) of Section 830.31, or a peace officer as defined in subdivisions (a) and (b) of Section 830.32.

(2) As used in this section, "stalking" means the offense defined in Section 646.9.

(c)(1) The course of instruction, the learning and performance objectives, the standards for the training, and the guidelines shall be developed by the commission in consultation with appropriate groups and individuals having an interest and expertise in the field of stalking.

(2) The commission, in consultation with these groups and individuals, shall review existing training programs to determine in what ways stalking training might be included as a part of ongoing programs.

(d) Participation in the course or courses specified in this section by peace officers or the agencies employing them, is voluntary.

(Added by Stats.2000, c. 564 (S.B.1539), § 2.)

### Library References

Municipal Corporations ☞ 184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

## § 13519.07. **Missing persons investigations; guidelines to be made accessible to law enforcement agencies; adoption of checklist; adoption of policy, regulations, or guidelines; modification of commission guidelines and curriculum**

(a) The Department of Justice shall make accessible to law enforcement agencies, via a department bulletin and the California Law Enforcement Web, the commission's "Guidelines For Handling Missing Persons Investigations" or any subsequent similar guidelines created by the commission, relating to the investigation of missing persons.

(b) By January 1, 2012, law enforcement agencies shall adopt a checklist document directing peace officers on investigation guidelines and resources available to them in the early hours of a missing person investigation. The commission's "Guidelines For Handling Missing Persons Investigations"



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should be used as a model policy or example in developing the checklist document.

(c) By January 1, 2012, law enforcement agencies shall adopt a policy, regulations, or guidelines on missing persons investigations that are consistent with state and federal law. The commission's "Guidelines For Handling Missing Persons Investigations" should be used as a model policy or example in developing the policy, regulations, or guidelines.

(d) By January 1, 2012, law enforcement agencies shall utilize, at a minimum, the department's missing person reporting form for the initial contact with the parent or family member reporting a missing person.

(e) As necessary and appropriate, the commission shall modify its missing persons investigations guidelines and curriculum with contemporary information. Specifically, the commission should consider including and revising their guidelines to include both of the following:

(1) Steps for law enforcement agencies in the first few hours after the reporting of a missing person.

(2) Information on the availability of the department task forces, the SAFE Task Force Regional Teams, and other entities that can assist in the search for a missing person.

(Added by Stats.2010, c. 224 (A.B.33), § 2.)

### Historical and Statutory Notes

Sections 1 and 4 of Stats.2010, c. 224 (A.B.33), provide:

"SECTION 1. It is the intent of the Legislature to encourage law enforcement agencies to obtain and utilize the list, created pursuant to Section 14202 of the Penal Code, of registered sex offenders from the Violent Crime Information Center in the event of a reported stranger abduction of a child."

"SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code."

### Research References

#### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 49, Particular Systems; Programs.

## § 13519.1. Missing persons; training course and guidelines

(a) The commission shall implement by July 1, 1988, a course or courses of instruction for the training of law enforcement officers and law enforcement dispatchers in the handling of missing person and runaway cases and shall also develop guidelines for law enforcement response to missing person and runaway cases. The course or courses of instruction and the guidelines shall include, but not be limited to, timeliness and priority of response, assisting persons who make missing person reports to contact the appropriate law enforcement agency in the jurisdiction of the residence address of the missing person or runaway and the appropriate law enforcement agency in the jurisdiction where the missing person or runaway was last seen, and coordinating law



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enforcement agencies for the purpose of efficiently and effectively taking and investigating missing person reports.

As used in this section, "law enforcement" includes any officers or employees of a local police or sheriff's office or of the California Highway Patrol.

(b) The course of basic training for law enforcement officers and law enforcement dispatchers shall, not later than January 1, 1989, include adequate instruction in the handling of missing person and runaway cases developed pursuant to subdivision (a).

(c) All law enforcement officers and law enforcement dispatchers who have received their basic training before January 1, 1989, shall participate in supplementary training on missing person and runaway cases, as prescribed and certified by the commission. The training required by this subdivision shall be completed not later than January 1, 1991.

(Added by Stats.1987, c. 705, § 3.)

### Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

### Research References

#### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 69,  
Particular Courses of Instruction Included

in Basic Training Course; Additional Training--Additional Training Required for Certain Officers.

## § 13519.2. Persons with developmental disabilities or mental illness; training course and guidelines

(a) The commission shall, on or before July 1, 1990, include in the basic training course for law enforcement officers, adequate instruction in the handling of persons with developmental disabilities or mental illness, or both. Officers who complete the basic training prior to July 1, 1990, shall participate in supplementary training on this topic. This supplementary training shall be completed on or before July 1, 1992. Further training courses to update this instruction shall be established, as deemed necessary by the commission.

(b) The course of instruction relating to the handling of developmentally disabled or mentally ill persons shall be developed by the commission in consultation with appropriate groups and individuals having an interest and expertise in this area. In addition to providing instruction on the handling of these persons, the course shall also include information on the cause and nature of developmental disabilities and mental illness, as well as the community resources available to serve these persons.

(Added by Stats.1988, c. 593, § 1.)

### Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.



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**§ 13519.3. Sudden infant death syndrome; training; investigation; fee**

(a) Effective July 1, 1990, the commission shall establish, for those peace officers specified in subdivision (a) of Section 13510 who are assigned to patrol or investigations, a course on the nature of sudden infant death syndrome and the handling of cases involving the sudden deaths of infants. The course shall include information on the community resources available to assist families and child care providers who have lost a child to sudden infant death syndrome. Officers who are employed after January 1, 1990, shall complete a course in sudden infant death syndrome prior to the issuance of the Peace Officer Standards and Training basic certificate, and shall complete training on this topic on or before July 1, 1992.

(b) The commission, in consultation with experts in the field of sudden infant death syndrome, shall prepare guidelines establishing standard procedures which may be followed by law enforcement agencies in the investigation of cases involving sudden deaths of infants.

(c) The course relating to sudden infant death syndrome and the handling of cases of sudden infant deaths shall be developed by the commission in consultation with experts in the field of sudden infant death syndrome. The course shall include instruction in the standard procedures developed pursuant to subdivision (b). In addition, the course shall include information on the nature of sudden infant death syndrome which shall be taught by experts in the field of sudden infant death syndrome.

(d) The commission shall review and modify the basic course curriculum to include sudden infant death syndrome awareness as part of death investigation training.

(e) When the instruction and training are provided by a local agency, a fee shall be charged sufficient to defray the entire cost of instruction and training.

(Added by Stats.1989, c. 1111, § 7.)

**Cross References**

Autopsy for sudden infant death syndrome, see Government Code § 27491.41.

EMT-I training on the nature of sudden infant death syndrome, see Health and Safety Code § 1797.170.

EMT-II training on the nature of sudden infant death syndrome, see Health and Safety Code § 1797.171.

Training on sudden infant death syndrome for firefighters, see Health and Safety Code § 1797.193.

**Library References**

Municipal Corporations ☞ 184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

**Research References**

**Encyclopedias**

CA Jur. 3d Law Enforcement Officers § 69,  
Particular Courses of Instruction Included  
in Basic Training Course; Additional Train-  
ing--Additional Training Required for Cer-  
tain Officers.

CA Jur. 3d Law Enforcement Officers § 70,  
Preparation of Guidelines for Police Agen-  
cies.



**§ 13519.4. Racial and cultural diversity training; racial profiling**

(a) The commission shall develop and disseminate guidelines and training for all law enforcement officers in California as described in subdivision (a) of Section 13510 and who adhere to the standards approved by the commission on the racial and cultural differences among the residents of this state. The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

(b) The course of basic training for law enforcement officers shall include adequate instruction on racial and cultural diversity in order to foster mutual respect and cooperation between law enforcement and members of all racial and cultural groups. In developing the training, the commission shall consult with appropriate groups and individuals having an interest and expertise in the field of cultural awareness and diversity.

(c) For the purposes of this section the following shall apply:

(1) "Disability," "gender," "nationality," "religion," and "sexual orientation" have the same meaning as in Section 422.55.

(2) "Culturally diverse" and "cultural diversity" include, but are not limited to, disability, gender, nationality, religion, and sexual orientation issues.

(3) "Racial" has the same meaning as "race or ethnicity" in Section 422.55.

(d) The Legislature finds and declares as follows:

(1) Racial profiling is a practice that presents a great danger to the fundamental principles of a democratic society. It is abhorrent and cannot be tolerated.

(2) Motorists who have been stopped by the police for no reason other than the color of their skin or their apparent nationality or ethnicity are the victims of discriminatory practices.

(3) It is the intent of the Legislature in enacting the changes to Section 13519.4 of the Penal Code made by the act that added this subdivision that more than additional training is required to address the pernicious practice of racial profiling and that enactment of this bill is in no way dispositive of the issue of how the state should deal with racial profiling.

(4) The working men and women in California law enforcement risk their lives every day. The people of California greatly appreciate the hard work and dedication of law enforcement officers in protecting public safety. The good name of these officers should not be tarnished by the actions of those few who commit discriminatory practices.

(e) "Racial profiling," for purposes of this section, is the practice of detaining a suspect based on a broad set of criteria which casts suspicion on an entire class of people without any individualized suspicion of the particular person being stopped.

(f) A law enforcement officer shall not engage in racial profiling.



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(g) Every law enforcement officer in this state shall participate in expanded training as prescribed and certified by the Commission on Peace Officers Standards and Training.

(h) The curriculum shall utilize the Tools for Tolerance for Law Enforcement Professionals framework and shall include and examine the patterns, practices, and protocols that make up racial profiling. This training shall prescribe patterns, practices, and protocols that prevent racial profiling. In developing the training, the commission shall consult with appropriate groups and individuals having an interest and expertise in the field of racial profiling. The course of instruction shall include, but not be limited to, adequate consideration of each of the following subjects:

(1) Identification of key indices and perspectives that make up cultural differences among residents in a local community.

(2) Negative impact of biases, prejudices, and stereotyping on effective law enforcement, including examination of how historical perceptions of discriminatory enforcement practices have harmed police-community relations.

(3) The history and the role of the civil rights movement and struggles and their impact on law enforcement.

(4) Specific obligations of officers in preventing, reporting, and responding to discriminatory or biased practices by fellow officers.

(5) Perspectives of diverse, local constituency groups and experts on particular cultural and police-community relations issues in a local area.

(i) Once the initial basic training is completed, each law enforcement officer in California as described in subdivision (a) of Section 13510 who adheres to the standards approved by the commission shall be required to complete a refresher course every five years thereafter, or on a more frequent basis if deemed necessary, in order to keep current with changing racial and cultural trends.

(j) The Legislative Analyst shall conduct a study of the data being voluntarily collected by those jurisdictions that have instituted a program of data collection with regard to racial profiling, including, but not limited to, the California Highway Patrol, the City of San Jose, and the City of San Diego, both to ascertain the incidence of racial profiling and whether data collection serves to address and prevent such practices, as well as to assess the value and efficacy of the training herein prescribed with respect to preventing local profiling. The Legislative Analyst may prescribe the manner in which the data is to be submitted and may request that police agencies collecting such data submit it in the requested manner. The Legislative Analyst shall provide to the Legislature a report and recommendations with regard to racial profiling by July 1, 2002.

(Added by Stats.1990, c. 480 (S.B.2680), § 1. Amended by Stats.1992, c. 1267 (A.B. 401), § 2; Stats.2000, c. 684 (S.B.1102), § 1; Stats.2001, c. 854 (S.B.205), § 63; Stats.2004, c. 700 (S.B.1234), § 28.)



Historical and Statutory Notes

The 1992 amendment designated subd. (a); substituted "on or before August 1, 1993" for "Effective July 1, 1993"; and added subds. (b) and (c).

Stats.2000, c. 684 (S.B.1102), in subd. (c), added "The legislature finds and declares as follows:" in the second sentence, and added paragraphs (1), (2), (3), and (4) relating to racial profiling and additional training; and added subds. (d) through (j), relating to law enforcement officer's participation in additional training against racial profiling and the study of data collected on racial profiling.

The Senate Daily Journal for the 1999-2000 Regular Session, page 6534, contained the following letter dated August 31, 2000, from Senator Murray, regarding S.B. 1102 (Stats 2000, ch. 684):

"Dear Colleagues:

"The purpose of this letter is to certify the intent of 13519.4 (j) of Senate Bill 1102. Section 13519.4 (j) of Senate 1102 provides, in part:

"The Legislative Analyst may prescribe the manner in which data is to be submitted and may request that police agencies collecting such data submit it in the requested manner."

"In enacting this subdivision, it was not the intent of the Legislature to empower the Legislative Analyst to request new information or new data collection from the California Highway Patrol or from any local law enforcement agency, more than which these agencies have already voluntarily chosen to collect. It was furthermore not the intent of the Legislature to require these agencies to change the forms used to collect data or change the current method of data collection. However, to the extent that local agencies are engaged in data, collection, we encourage development of a uniform data reporting system.

"Sincerely,

"SENATOR KEVIN MURRAY "

Stats.2001, c. 854 (S.B.205) made technical revisions and nonsubstantive changes to maintain the Code.

Stats.2004, c. 700 (S.B.1234), in subd. (a), deleted "On or before August 1, 1993," from the first sentence; in subd. (b), deleted "no later than August 1, 1993," from the first sentence; redesignated subd. (c) as subds. (c) and (d); rewrote new subd. (c); redesignated former subds. (d) and (e) as subds. (e) and (f), respectively; redesignated former subd. (f) as subd. (g); rewrote former subd. (f), now subd. (g); and deleted former subd. (g). Prior to amendment, subds. (c), (f), and (g) read:

"(c) For the purposes of this section, 'culturally diverse' and 'cultural diversity' include, but are not limited to, gender and sexual orientation issues. The Legislature finds and declares as follows:

"(1) Racial profiling is a practice that presents a great danger to the fundamental principles of a democratic society. It is abhorrent and cannot be tolerated.

"(2) Motorists who have been stopped by the police for no reason other than the color of their skin or their apparent nationality or ethnicity are the victims of discriminatory practices.

"(3) It is the intent of the Legislature in enacting the changes to Section 13519.4 of the Penal Code made by the act that added this subdivision that more than additional training is required to address the pernicious practice of racial profiling and that enactment of this bill is in no way dispositive of the issue of how the state should deal with racial profiling.

"(4) The working men and women in California law enforcement risk their lives every day. The people of California greatly appreciate the hard work and dedication of law enforcement officers in protecting public safety. The good name of these officers should not be tarnished by the actions of those few who commit discriminatory practices."

"(f) Every law enforcement officer in this state shall participate in expanded training as prescribed and certified by the Commission on Peace Officers Standards and Training. Training shall begin being offered no later than January 1, 2002. The curriculum shall be created by the commission in collaboration with a five-person panel, appointed no later than March 1, 2001, as follows: the Governor shall appoint three members and one member each shall be appointed by the Senate Committee on Rules and the Speaker of the Assembly. Each appointee shall be appointed from among prominent members of the following organizations:

"(1) State Conference of the NAACP.

"(2) Brotherhood Crusade.

"(3) Mexican American Legal Defense and Education Fund.

"(4) The League of United Latin American Citizens.

"(5) American Civil Liberties Union.

"(6) Anti-Defamation League.

"(7) California NOW.

"(8) Asian Pacific Bar of California.

"(9) The Urban League.

"(g) Members of the panel shall not be compensated, except for reasonable per diem ex-



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penses related to their work for panel purposes."

#### Code of Regulations References

Minimum content requirements for academy staff courses, see 11 Cal. Code of Regs. § 1083.

#### Law Review and Journal Commentaries

Race-based suspect selection and colorblind equal protection doctrine and discourse. R. Richard Banks, 48 UCLA L. Rev. 1075 (2001).

#### Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

#### Research References

##### Encyclopedias

Cal. Jur. 3d Criminal Law: Pretrial Proceedings § 266, Identification of Suspect by Victims or Other Witnesses.

Cal. Jur. 3d Criminal Law: Pretrial Proceedings § 281, Vehicles and Passengers--Vehicle Safety Infractions.

CA Jur. 3d Law Enforcement Officers § 68, Particular Courses of Instruction Included in Basic Training Course; Additional Training.

CA Jur. 3d Law Enforcement Officers § 70, Preparation of Guidelines for Police Agencies.

## § 13519.5. Gang and drug law enforcement; training

The commission shall, on or before July 1, 1991, implement a course or courses of instruction to provide ongoing training to the appropriate peace officers on methods of gang and drug law enforcement.

(Added by Stats.1990, c. 333 (A.B.2306), § 2.)

#### Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

#### Research References

##### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 68, Particular Courses of Instruction Included

in Basic Training Course; Additional Training.

## § 13519.6. Hate crimes; training courses and guidelines

(a) The commission shall develop guidelines and a course of instruction and training for law enforcement officers who are employed as peace officers, or who are not yet employed as a peace officer but are enrolled in a training academy for law enforcement officers, addressing hate crimes. "Hate crimes," for purposes of this section, has the same meaning as in Section 422.55.

(b) The course shall make maximum use of audio and video communication and other simulation methods and shall include instruction in each of the following:

(1) Indicators of hate crimes.

(2) The impact of these crimes on the victim, the victim's family, and the community, and the assistance and compensation available to victims.



(3) Knowledge of the laws dealing with hate crimes and the legal rights of, and the remedies available to, victims of hate crimes.

(4) Law enforcement procedures, reporting, and documentation of hate crimes.

(5) Techniques and methods to handle incidents of hate crimes in a noncombative manner.

(6) Multimission criminal extremism, which means the nexus of certain hate crimes, antigovernment extremist crimes, anti-reproductive-rights crimes, and crimes committed in whole or in part because of the victims' actual or perceived homelessness.

(7) The special problems inherent in some categories of hate crimes, including gender-bias crimes, disability-bias crimes, including those committed against homeless persons with disabilities, anti-immigrant crimes, and anti-Arab and anti-Islamic crimes, and techniques and methods to handle these special problems.

(8) Preparation for, and response to, possible future anti-Arab/Middle Eastern and anti-Islamic hate crimewaves, and any other future hate crime waves that the Attorney General determines are likely.

(c) The guidelines developed by the commission shall incorporate the procedures and techniques specified in subdivision (b), and shall include a framework and possible content of a general order or other formal policy on hate crimes that all state law enforcement agencies shall adopt and the commission shall encourage all local law enforcement agencies to adopt. The elements of the framework shall include, but not be limited to, the following:

(1) A message from the law enforcement agency's chief executive officer to the agency's officers and staff concerning the importance of hate crime laws and the agency's commitment to enforcement.

(2) The definition of "hate crime" in Section 422.55.

(3) References to hate crime statutes including Section 422.6.

(4) A title-by-title specific protocol that agency personnel are required to follow, including, but not limited to, the following:

(A) Preventing and preparing for likely hate crimes by, among other things, establishing contact with persons and communities who are likely targets, and forming and cooperating with community hate crime prevention and response networks.

(B) Responding to reports of hate crimes, including reports of hate crimes committed under the color of authority.

(C) Accessing assistance, by, among other things, activating the Department of Justice hate crime rapid response protocol when necessary.

(D) Providing victim assistance and followup, including community followup.

(E) Reporting.

(d)(1) The course of training leading to the basic certificate issued by the commission shall include the course of instruction described in subdivision (a).



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(2) Every state law enforcement and correctional agency, and every local law enforcement and correctional agency to the extent that this requirement does not create a state-mandated local program cost, shall provide its peace officers with the basic course of instruction as revised pursuant to the act that amends this section in the 2003–04 session of the Legislature, beginning with officers who have not previously received the training. Correctional agencies shall adapt the course as necessary.

(e) As used in this section, “peace officer” means any person designated as a peace officer by Section 830.1 or 830.2.

(f) The additional training requirements imposed under this section by legislation adopted in 2004 shall be implemented by July 1, 2007.

(Added by Stats.1992, c. 1239 (A.B.3407), § 1. Amended by Stats.1998, c. 933 (A.B.1999), § 6; Stats.2004, c. 700 (S.B.1234), § 29.)

### Historical and Statutory Notes

Stats.1998, c. 933 (A.B.1999), included “gender” within the scope of the section.

Stats.2004, c. 700 (S.B.1234), rewrote this section, which read:

“(a) The commission shall, on or before December 31, 1993, develop guidelines and a course of instruction and training for law enforcement officers who are employed as peace officers, or who are not yet employed as a peace officer but are enrolled in a training academy for law enforcement officers, addressing hate crimes. ‘Hate crimes,’ for purposes of this section, means any act of intimidation, harassment, physical force, or the threat of physical force directed against any person, or family, or their property or advocate, motivated either in whole or in part by the hostility to the real or perceived ethnic background, national origin, religious belief, gender, age, disability, or sexual orientation, with the intention of causing fear and intimidation.

“(b) The course shall make maximum use of audio and video communication and other simulation methods and shall include instruction in

each of the following procedures and techniques:

“(1) Indicators of hate crimes.

“(2) The impact of these crimes on the victim, the victim’s family, and the community.

“(3) Knowledge of the laws dealing with hate crimes and the legal rights of, and the remedies available to, victims of hate crimes.

“(4) Law enforcement procedures, reporting, and documentation of hate crimes.

“(5) Techniques and methods to handle incidents of hate crimes in a noncombative manner.

“(c) The guidelines developed by the commission shall incorporate the procedures and techniques specified in subdivision (b).

“(d) The course of training leading to the basic certificate issued by the commission shall, not later than July 1, 1994, include the course of instruction described in subdivision (a).

“(e) As used in this section, ‘peace officer’ means any person designated as a peace officer by Section 830.1 or 830.2.”

### Cross References

Attorney General, generally, see Government Code § 12500 et seq.

### Law Review and Journal Commentaries

Capital punishment. Robert M. Sanger, 44 Santa Clara L. Rev. 101 (2003).

### Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

### Research References

#### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 68,  
Particular Courses of Instruction Included

in Basic Training Course; Additional Training.



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CA Jur. 3d Law Enforcement Officers § 70,  
Preparation of Guidelines for Police Agen-  
cies.

### § 13519.64. Telecourse; crimes against homeless persons

(a) The Legislature finds and declares that research, including "Special Report to the Legislature on Senate Resolution 18: Crimes Committed Against Homeless Persons" by the Department of Justice and "Hate, Violence, and Death: A Report on Hate Crimes Against People Experiencing Homelessness from 1999-2002" by the National Coalition for the Homeless demonstrate that California has had serious and unaddressed problems of crime against homeless persons, including homeless persons with disabilities.

(b)(1) By July 1, 2005, the Commission on Peace Officer Standards and Training, using available funding, shall develop a two-hour telecourse to be made available to all law enforcement agencies in California on crimes against homeless persons and on how to deal effectively and humanely with homeless persons, including homeless persons with disabilities. The telecourse shall include information on multimission criminal extremism, as defined in Section 13519.6. In developing the telecourse, the commission shall consult subject-matter experts including, but not limited to, homeless and formerly homeless persons in California, service providers and advocates for homeless persons in California, experts on the disabilities that homeless persons commonly suffer, the California Council of Churches, the National Coalition for the Homeless, the Senate Office of Research, and the Criminal Justice Statistics Center of the Department of Justice.

(2) Every state law enforcement agency, and every local law enforcement agency, to the extent that this requirement does not create a state-mandated local program cost, shall provide the telecourse to its peace officers.

(Added by Stats.2004, c. 700 (S.B.1234), § 30.)

#### Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

#### Research References

##### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 68,  
Particular Courses of Instruction Included

in Basic Training Course; Additional Training.

### § 13519.7. Sexual harassment in the workplace; complaint guidelines and training

(a) On or before August 1, 1994, the commission shall develop complaint guidelines to be followed by city police departments, county sheriffs' departments, districts, and state university departments, for peace officers who are victims of sexual harassment in the workplace. In developing the complaint guidelines, the commission shall consult with appropriate groups and individuals having an expertise in the area of sexual harassment.



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(b) The course of basic training for law enforcement officers shall, no later than January 1, 1995, include instruction on sexual harassment in the workplace. The training shall include, but not be limited to, the following:

- (1) The definition of sexual harassment.
- (2) A description of sexual harassment, utilizing examples.
- (3) The illegality of sexual harassment.
- (4) The complaint process, legal remedies, and protection from retaliation available to victims of sexual harassment.

In developing this training, the commission shall consult with appropriate groups and individuals having an interest and expertise in the area of sexual harassment.

(c) All peace officers who have received their basic training before January 1, 1995, shall receive supplementary training on sexual harassment in the workplace by January 1, 1997.

(Added by Stats.1993, c. 126 (S.B.459), § 1.)

### Cross References

District defined for purposes of this Chapter, see Penal Code § 13507.

### Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

### Research References

#### Treatises and Practice Aids

Emp. Discrim. Coord. Analysis of State Law  
§ 8:99, Harassment in the Workplace.

HRS Fair Employment Practices § 28:27, Penal Code.

## § 13519.8. High speed vehicle pursuits; training courses and guidelines

(a)(1) The commission shall implement a course or courses of instruction for the regular and periodic training of law enforcement officers in the handling of high-speed vehicle pursuits and shall also develop uniform, minimum guidelines for adoption and promulgation by California law enforcement agencies for response to high-speed vehicle pursuits. The guidelines and course of instruction shall stress the importance of vehicle safety and protecting the public at all times, include a regular assessment of law enforcement's vehicle pursuit policies, practices, and training, and recognize the need to balance the known offense and the need for immediate capture against the risks to officers and other citizens of a high-speed pursuit. These guidelines shall be a resource for each agency executive to use in the creation of a specific pursuit policy that the agency is encouraged to adopt and promulgate, and that reflects the needs of the agency, the jurisdiction it serves, and the law.

(2) As used in this section, "law enforcement officer" includes any peace officer of a local police or sheriff's department or the California Highway Patrol, or of any other law enforcement agency authorized by law to conduct vehicular pursuits.



(b) The course or courses of basic training for law enforcement officers and the guidelines shall include adequate consideration of each of the following subjects:

- (1) When to initiate a pursuit.
- (2) The number of involved law enforcement units permitted.
- (3) Responsibilities of primary and secondary law enforcement units.
- (4) Driving tactics.
- (5) Helicopter assistance.
- (6) Communications.
- (7) Capture of suspects.
- (8) Termination of a pursuit.
- (9) Supervisory responsibilities.
- (10) Blocking, ramming, boxing, and roadblock procedures.
- (11) Speed limits.
- (12) Interjurisdictional considerations.
- (13) Conditions of the vehicle, driver, roadway, weather, and traffic.
- (14) Hazards to uninvolved bystanders or motorists.
- (15) Reporting and postpursuit analysis.

(c)(1) All law enforcement officers who have received their basic training before January 1, 1995, shall participate in supplementary training on high-speed vehicle pursuits, as prescribed and certified by the commission.

(2) Law enforcement agencies are encouraged to include, as part of their advanced officer training program, periodic updates and training on high-speed vehicle pursuit. The commission shall assist where possible.

(d)(1) The course or courses of instruction, the learning and performance objectives, the standards for the training, and the guidelines shall be developed by the commission in consultation with appropriate groups and individuals having an interest and expertise in the field of high-speed vehicle pursuits. The groups and individuals shall include, but not be limited to, law enforcement agencies, police academy instructors, subject matter experts, and members of the public.

(2) The commission, in consultation with these groups and individuals, shall review existing training programs to determine the ways in which high-speed pursuit training may be included as part of ongoing programs.

(e) It is the intent of the Legislature that each law enforcement agency adopt, promulgate, and require regular and periodic training consistent with an agency's specific pursuit policy that, at a minimum, complies with the guidelines developed under subdivisions (a) and (b).

(Added by Stats.1993, c. 340 (S.B.601), § 1. Amended by Stats.2005, c. 485 (S.B.719), § 4.)



**Historical and Statutory Notes**

Stats.2005, c. 485 (S.B.719), inserted paragraph designators of (1) and (2) in subds. (a), (c) and (d); in the first sentence of subd. (a)(1), deleted "on or before November 1, 1994," preceding "a course", inserted "regular and periodic" inserted "and promulgation"; in subd. (a)(1), added the third sentence; rewrote the second paragraph of subd. (a); in subd. (c)(2), deleted "Local" preceding "Law enforcement"; and rewrote subd. (e). Prior to amendment, the second paragraph of subd. (a), and all of subd. (e) read:

"As used in this section, 'law enforcement officer' includes any officer or employee of a local police or sheriff's department or the California Highway Patrol."

"(e) It is the intent of the Legislature that all local law enforcement agencies adopt the minimum guidelines on high-speed vehicle pursuit developed by the commission."

Sections 1 and 13 of Stats.2005, c. 485 (S.B. 719), provide:

"SECTION 1. The Legislature finds and declares the following:

"(a) Thousands of crime suspects flee each year often resulting in law enforcement officers in California engaging in motor vehicle pursuits. Many pursuits result in accidents, property damage, serious injuries, and death to innocent third parties, peace officers, and fleeing suspects.

"(b) Motor vehicle pursuits of fleeing suspects present inescapable and inherent risks that sometimes offend public sensibilities.

"(c) According to statistics from the National Highway Safety Administration, California has consistently led the nation in the past 20 years in fatalities from crashes involving these pursuits.

"(d) California leads the nation in the number of innocent bystanders killed in these pursuits. A study by the National Highway Traffic Safety Administration indicates that in 2003 there were 46 deaths in California that resulted from high speed police pursuits of fleeing suspects. Twelve of the 46 deaths were innocent bystanders. Eighteen were passengers in the

pursued vehicle, 15 were fleeing suspects, and one was a peace officer.

"(e) Pursuit driving is a dangerous activity that must be undertaken with due care and with the understanding of specific risks as well as the need for a realistic proportionate response to apprehend a fleeing suspect who poses a danger to the public.

"(f) Current law provides that a person operating a motor vehicle who is negligent in its operation may be liable for civil damages pursuant to Section 17150 of the Vehicle Code.

"(g) The primary function of all law enforcement agencies is to protect the public against personal injury, death, or property damage.

"(h) It is, therefore, the intent of the Legislature to enact legislation that guides instances where law enforcement pursuits are warranted so as to protect the public safety, lives, and property of the people of the State of California.

"(i) It is also the intent of the Legislature to decrease peace officer motor vehicle pursuits through public education, enforcement, and regular and periodic training of peace officers.

"(j) It is also the intent of the Legislature in enacting this act to eliminate any unnecessary risks that evolve from peace officer motor vehicle pursuits, and to ensure that law enforcement pursuits are conducted in the safest and most effective approach throughout California."

"SEC. 13. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

"However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code."

**Cross References**

Liability of public agency employing peace officers conducting vehicular pursuits, see Vehicle Code § 17004.7.

**Library References**

Automobiles ⌘187(6).  
Municipal Corporations ⌘184(2).  
Westlaw Topic Nos. 48A, 268.

C.J.S. Motor Vehicles § 832.  
C.J.S. Municipal Corporations §§ 620 to 622, 624 to 630, 657, 660.



Research References

Encyclopedias

- CA Jur. 3d Law Enforcement Officers § 69,  
Particular Courses of Instruction Included  
in Basic Training Course; Additional Train-  
ing--Additional Training Required for Cer-  
tain Officers.  
CA Jur. 3d Law Enforcement Officers § 70,  
Preparation of Guidelines for Police Agen-  
cies.

Treatises and Practice Aids

- 5 Witkin, California Summary 10th Torts  
§ 336, (S 336) Nature and Scope of Immu-  
nity.

**§ 13519.9. Criminal investigators; advanced training; specialty assign-  
ments**

(a) On or before January 1, 1995, the commission shall establish the Robert Presley Institute of Criminal Investigation which will make available to criminal investigators of California's law enforcement agencies an advanced training program to meet the needs of working investigators in specialty assignments, such as arson, auto theft, homicide, and narcotics.

(b) The institute shall provide an array of investigation training, including the following:

(1) Core instruction in matters common to all investigative activities.

(2) Advanced instruction through foundation specialty courses in the various investigative specialties.

(3) Completion of a variety of elective courses pertaining to investigation.

(c)(1) Instruction in core foundation and specialty courses shall be designed not only to impart new knowledge, but to evoke from students the benefit of their experience and ideas in a creative and productive instructional design environment.

(2) Instructors shall be skilled and knowledgeable both in subject matter and in the use of highly effective instructional strategies.

(d)(1) The commission shall design and operate the institute to constantly improve the effectiveness of instruction.

(2) The institute shall make use of the most modern instructional design and equipment, including computer-assisted instruction, scenarios, and case studies.

(3) The institute shall ensure that proper facilities, such as crime scene training areas, are available for use by students.

(Added by Stats.1994, c. 43 (A.B.1329), § 3.)

Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.



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**§ 13519.12. Establishment of training standards and development of course of instruction that includes criteria for curriculum content recommended by Emergency Response Training Advisory Committee; delivery of training to personnel; persons to receive training**

(a) Pursuant to Section 13510, the Commission on Peace Officer Standards and Training shall establish training standards and develop a course of instruction that includes the criteria for the curriculum content recommended by the Emergency Response Training Advisory Committee established pursuant to Section 8588.10 of the Government Code, involving the responsibilities of first responders to terrorism incidents. The course of instruction shall address the training needs of peace officers at a managerial or supervisory level and below who are assigned to field duties. The training shall be developed in consultation with the Department of Justice and other individuals knowledgeable about terrorism and address current theory, terminology, historical issues, and procedures necessary to appropriately respond to and effectively mitigate the effects of a terrorist incident.

(b) The commission shall expedite the delivery of this training to law enforcement through maximum use of its local and regional delivery systems.

(c) To maximize the availability and delivery of training, the commission shall develop a course of instruction to train trainers and first responders dealing with terrorism incidents using a variety of formats.

(d) Every police chief and sheriff, the Commissioner of the Highway Patrol, and other general law enforcement agency executives may determine the members of their agency to receive the emergency response to terrorism incidents training developed by the commission under this section. The persons to be trained may include, but are not limited to, peace officers that perform general law enforcement duties at a managerial or supervisory level or below and are assigned to field duties.

(Added by Stats.2002, c. 612 (S.B.1350), § 7, eff. Sept. 17, 2002.)

#### Implementation

*For implementation of this section with respect to federal funding, see § 8 of Stats.2002, c. 612 (S.B.1350).*

#### Historical and Statutory Notes

Sections 1, 2, and 8 of Stats.2002, c. 612 (S.B.1350), provide:

“SECTION 1. This act shall be known and may be cited as the Responders Emergency Act to Combat Terrorism (REACT).

“SEC. 2. The Legislature finds and declares the following:

“(a) In light of recent events, California is among the best prepared states in the United States with regard to potential acts of terrorism. However, additional training is appropriate and necessary to ensure that all potential first re-

sponders to a terrorist event and a terrorist attack will be prepared.

“(b) There are approximately 66,000 sworn and reserve state and local law enforcement officers, 65,000 volunteer and paid state and local firefighters, and 70,500 local emergency medical technicians and paramedics who could benefit from additional first responder training regarding terrorism. Additional public works employees may also be anticipated to benefit from training.

“(c) The best way to fight terrorism and the damage caused by those acts is to prevent it,



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while also ensuring that local emergency response personnel, also known as emergency responders, who are often the first persons dispatched during emergency situations, are appropriately trained to deal with the unique aspects of terrorist acts and are able to uphold the highest standards of public safety.

“(d) Local law enforcement, firefighters, and other local emergency personnel have become extremely adept at doing their jobs in dealing with traditional crime and emergency events,

but the emerging threats of terrorism and bioterrorism have created new challenges that must be met to ensure the safety of those personnel and all of the citizens of our state.

“(e) It is the intent of the Legislature that the training be developed and made available to first responders as quickly as possible.”

“SEC. 8. Sections 3 to 7, inclusive, of this act shall be implemented only when federal funds are received for the purposes of this act.”

### Cross References

- Additional training standards with respect to first responders to terrorism incidents, EMT I, EMT II and EMT-P, see Health and Safety Code § 1797.116.
- Emergency Response Training Advisory Committee, basic terrorism awareness training contents and make-up of committee, see Government Code § 8588.10.
- Establishment of additional training standards that include criteria for curriculum content recommended by Emergency Response Training Advocacy Committee, firefighters, see Health and Safety Code § 13159.1.
- Fire service specific course of instruction on responsibilities of first responders to terrorism incidents, see Government Code § 8588.11.

### Library References

Municipal Corporations ☞ 184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

### Research References

#### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 68,  
Particular Courses of Instruction Included

in Basic Training Course; Additional Training.

## § 13519.14. Course or courses of instruction for training of law enforcement officers in the handling of human trafficking complaints; guidelines

(a) The commission shall implement by January 1, 2007, a course or courses of instruction for the training of law enforcement officers in California in the handling of human trafficking complaints and also shall develop guidelines for law enforcement response to human trafficking. The course or courses of instruction and the guidelines shall stress the dynamics and manifestations of human trafficking, identifying and communicating with victims, providing documentation that satisfy the law enforcement agency endorsement (LEA) required by federal law, collaboration with federal law enforcement officials, therapeutically appropriate investigative techniques, the availability of civil and immigration remedies and community resources, and protection of the victim. Where appropriate, the training presenters shall include human trafficking experts with experience in the delivery of direct services to victims of human trafficking. Completion of the course may be satisfied by telecommunication, video training tape, or other instruction.

(b) As used in this section, “law enforcement officer” means any officer or employee of a local police department or sheriff’s office, and any peace officer of the California Highway Patrol, as defined by subdivision (a) of Section 830.2.

(c) The course of instruction, the learning and performance objectives, the standards for the training, and the guidelines shall be developed by the



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commission in consultation with appropriate groups and individuals having an interest and expertise in the field of human trafficking.

(d) The commission, in consultation with these groups and individuals, shall review existing training programs to determine in what ways human trafficking training may be included as a part of ongoing programs.

(e) Participation in the course or courses specified in this section by peace officers or the agencies employing them is voluntary.

(Added by Stats.2005, c. 239 (S.B.180), § 3.)

### Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

## § 13519.15. Guidelines for investigation and reporting cases involving anti-reproductive-rights crimes

The commission shall prepare guidelines establishing standard procedures which may be followed by law enforcement agencies in the investigation and reporting of cases involving anti-reproductive-rights crimes. In developing the guidelines, the commission shall consider recommendations 1 to 12, inclusive, 14, and 15 of the report prepared by the Department of Justice and submitted to the Legislature pursuant to the Reproductive Rights Law Enforcement Act (Title 5.7 (commencing with Section 13775)).

(Added by Stats.2008, c. 206 (S.B.1770), § 1.)

### Historical and Statutory Notes

Section 5 of Stats.2008, c. 206 (S.B.1770), provides:

“SEC. 5. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local

agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.”

### Cross References

Law enforcement courses, see Penal Code § 13778.

### Library References

Automobiles Ⓒ183.  
Municipal Corporations Ⓒ184(2).  
Westlaw Topic Nos. 48A, 268.  
C.J.S. Infants § 283.

C.J.S. Motor Vehicles §§ 665 to 666, 681 to  
683, 832 to 842, 844 to 879, 1296.  
C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

### Research References

#### Encyclopedias

CA Jur. 3d Law Enforcement Officers § 70,  
Preparation of Guidelines for Police Agencies.



Article 3

PEACE OFFICERS' TRAINING FUND AND  
ALLOCATIONS THEREFROM

Section

- 13520. Creation; appropriation.
- 13521. Repealed.
- 13522. Application for aid; contents.
- 13523. Allocations to cities, counties, and districts.
- 13524. Application for aid; training of inspectors and investigators of district attorney's office.
- 13525. Application for state aid; training of certain local public safety dispatchers.
- 13526. Agency not entitled to allocation as of Dec. 31, 1989.
- 13526.1. Port wardens and special officers of the Harbor Department of Los Angeles; entitlement to funding from the Peace Officers' Training Fund.
- 13526.2. Housing authority police departments of Los Angeles and Oakland; entitlement to funding.

*Article 3 was added by Stats.1959, c. 1823, p. 4334, § 2.*

Code of Regulations References

Commission on Peace Officer Standards and Training, see 11 Cal. Code of Regs. § 1001 et seq.

§ 13520. Creation; appropriation

There is hereby created in the State Treasury a Peace Officers' Training Fund, which is hereby appropriated, without regard to fiscal years, exclusively for costs of administration and for grants to local governments and districts pursuant to this chapter.

(Added by Stats.1959, c. 1823, p. 4333, § 2. Amended by Stats.1967, c. 1640, p. 3931, § 5; Stats.1968, c. 1305, p. 2459, § 2; Stats.1969, c. 1072, p. 2059, § 4.)

Historical and Statutory Notes

The 1967 amendment deleted a provision that funds could be used for costs of administration.

The 1969 amendment authorized grants to "districts".

The 1968 amendment included "costs of administration" as a proper expenditure.

Cross References

Costs of administration as proper charge under this Article, see Penal Code § 13505.

Deputies or appointees as reserve or auxiliary officers, deposit of appropriate fees into Peace Officers' Training Fund, see Penal Code § 832.6.

District defined for purposes of this Chapter, see Penal Code § 13507.

Library References

States ⇐127.

Westlaw Topic No. 360.

C.J.S. States §§ 386 to 387.

Research References

Encyclopedias

CA Jur. 3d Law Enforcement Officers § 61,  
Purpose of the Commission.

CA Jur. 3d Law Enforcement Officers § 71,  
Peace Officers' Training Fund.



**Notes of Decisions**

**Validity 1**

**1. Validity**

Section 13520 et seq. creating a peace officers' training fund and providing that penalty assessments for benefit of fund shall be levied and collected in specified amounts by the courts

did not deny accused, who was convicted of conflict of interest and fined \$1,000 plus \$250 penalty assessment, equal protection of the law. *People v. Watson* (App. 2 Dist. 1971) 92 Cal. Rptr. 860, 15 Cal.App.3d 28, certiorari denied 92 S.Ct. 84, 404 U.S. 850, 30 L.Ed.2d 88, rehearing denied 92 S.Ct. 306, 404 U.S. 961, 30 L.Ed.2d 279. Constitutional Law ⇨ 3758; Costs ⇨ 285; Fines ⇨ 1

**§ 13521. Repealed by Stats.1981, c. 166, § 9, eff. July 12, 1981**

**Historical and Statutory Notes**

The repealed section, added by Stats.1980, c. 530, § 5.5, to become operative Jan. 1, 1983, provided for penalty assessments on fines, penalties and forfeitures for criminal offenses. See Penal Code § 1464.

Former § 13521, added by Stats.1959, c. 1823, p. 4334, § 2, amended by Stats.1962, c. 9,

p. 160, § 1; Stats.1963, c. 1621, p. 3214, § 1; Stats.1967, c. 1640, p. 3931, § 6; Stats.1970, c. 1009, p. 1815, § 1, relating to penalty assessment on fines, penalties and forfeitures for criminal offenses, was repealed by Stats.1980, c. 530, § 5, operative Jan. 1, 1981. See Penal Code § 1464.

**§ 13522. Application for aid; contents**

Any city, county, city and county, or district which desires to receive state aid pursuant to this chapter shall make application to the commission for the aid. The initial application shall be accompanied by a certified copy of an ordinance, or in the case of the University of California, the California State University, and agencies not authorized to act by ordinance, by a resolution, adopted by its governing body providing that while receiving any state aid pursuant to this chapter, the city, county, city and county, or district will adhere to the standards for recruitment and training established by the commission. The application shall contain any information the commission may request.

(Added by Stats.1959, c. 1823, p. 4335, § 2. Amended by Stats.1967, c. 1640, p. 3932, § 7; Stats.1969, c. 1072, p. 2059, § 5; Stats.1973, c. 1075, p. 2166, § 4; Stats.1983, c. 143, § 212; Stats.1990, c. 333 (A.B.2306), § 3.)

**Historical and Statutory Notes**

The 1967 amendment inserted "initial" preceding "application" in the second sentence.

The 1969 amendment included "district" as an entity eligible for aid.

The 1973 amendment inserted, in the second sentence, the words "or in the case of the University of California and the California State University and Colleges a resolution".

The 1983 amendment substituted, in the first sentence, "the aid" for "such aid"; substituted, in the second sentence "shall" for "must" and "State University by" for "State University and Colleges"; and in the last sentence, substituted "any" for "such".

The 1990 amendment inserted ", and agencies not authorized to act by ordinance"; and made a nonsubstantive change.

**Cross References**

Certification program, see Penal Code § 13510.1.

District defined for purposes of this Chapter, see Penal Code § 13507.

**Library References**

States ⇨128.

Westlaw Topic No. 360.



C.J.S. States §§ 381 to 382.

**Research References**

**Encyclopedias**

CA Jur. 3d Law Enforcement Officers § 63,  
Certification Program.

CA Jur. 3d Law Enforcement Officers § 71,  
Peace Officers' Training Fund.

**§ 13523. Allocations to cities, counties, and districts**

The commission shall annually allocate and the State Treasurer shall periodically pay from the Peace Officers' Training Fund, at intervals specified by the commission, to each city, county, and district which has applied and qualified for aid pursuant to this chapter an amount determined by the commission pursuant to standards set forth in its regulations. The commission shall grant aid only on a basis that is equally proportionate among cities, counties, and districts. State aid shall only be provided for training expenses of full-time regularly paid employees, as defined by the commission, of eligible agencies from cities, counties, or districts.

In no event shall any allocation be made to any city, county, or district which is not adhering to the standards established by the commission as applicable to such city, county, or district.

(Added by Stats.1959, c. 1823, p. 4335, § 2. Amended by Stats.1967, c. 1640, p. 3932, § 8; Stats.1969, c. 1072, p. 2059, § 6; Stats.1970, c. 1009, p. 1816, § 2; Stats.1977, c. 987, p. 2971, § 5.)

**Historical and Statutory Notes**

As added in 1959, this section read:

"The commission shall annually allocate and the State Treasurer shall pay from the Peace Officers' Training Fund to each city, county, and city and county which has applied and qualified for aid pursuant to this chapter a sum which will reimburse the city, county, or city and county in an amount not to exceed one-half of the salary paid to each peace officer meeting the recruitment standards and participating in training meeting the standards prescribed pursuant to this chapter, during the period covered by the allocation, plus one-half of necessary living expenses incurred by such officer which are necessitated by training requiring that he be away from his residence overnight. If the monies in the Peace Officers' Training Fund budgeted by the commission for such salary reimbursement are insufficient to allocate such amount to each participating city, county, and city and county, the amount allocated to each shall be reduced proportionately. In no event shall any allocation be made to any city, county, or city and county which has not, throughout the period covered by the allocation, adhered to the recruitment and training standards established by the commission as applicable to personnel recruited or trained by such city, county, or city and county during such period."

The 1967 amendment rewrote this section to read:

"The commission shall annually allocate and the State Treasurer shall pay from the Peace Officers' Training Fund to each city, county, and city and county which has applied and qualified for aid pursuant to this chapter an amount determined by the commission pursuant to standards set forth in its regulations. The commission shall grant aid only on a basis that is equally proportionate among cities, counties, and cities and counties.

"In no event shall any allocation be made to any city, county, or city and county which is not adhering to the standards established by the commission as applicable to such city, county, or city and county."

The 1969 amendment authorized aid to "districts".

The 1970 amendment added the words "periodically" and "at intervals specified by the commission" and deleted, twice in the first paragraph and twice in the second paragraph, the phrase "city and county".

The 1977 amendment added the third sentence to the first paragraph.

**Cross References**

Costs of administration as proper charge under this Article, see Penal Code § 13505.  
District defined for purposes of this Chapter, see Penal Code § 13507.  
State Treasurer, generally, see Government Code § 12302 et seq.

**Library References**

States §§ 123, 128.  
Westlaw Topic No. 360.  
C.J.S. States §§ 377 to 382.

**Research References**

**Encyclopedias**

CA Jur. 3d Law Enforcement Officers § 71,  
Peace Officers' Training Fund.

**§ 13524. Application for aid; training of inspectors and investigators of district attorney's office**

Any county wishing to receive state aid pursuant to this chapter for the training of regularly employed and paid inspectors and investigators of a district attorney's office, as defined in Section 830.1 who conduct criminal investigations, shall include such request for aid in its application to the commission pursuant to Sections 13522 and 13523.

(Added by Stats.1981, c. 710, § 3.)

**Historical and Statutory Notes**

**Former Notes**

Another § 13524, added by Stats.1980, c. 654, § 2, relating to application for aid, was repealed by Stats.1987, c. 56, § 143.

**Cross References**

District defined for purposes of this Chapter, see Penal Code § 13507.

**Library References**

States §§ 123, 127.  
Westlaw Topic No. 360.  
C.J.S. States §§ 377 to 380, 386 to 387.

**§ 13525. Application for state aid; training of certain local public safety dispatchers**

Any city, county, city and county, district, or joint powers agency which desires to receive state aid pursuant to this chapter for the training of regularly employed and paid local public safety dispatchers, as described in subdivision (c) of Section 13510, shall include that request for aid in its application to the commission pursuant to Sections 13522 and 13523.

(Added by Stats.1987, c. 971, § 2. Amended by Stats.1990, c. 333 (A.B.2306), § 4.)

**Historical and Statutory Notes**

The 1990 amendment inserted ", or joint powers agency"; and made a nonsubstantive change.



**Cross References**

District defined for purposes of this Chapter, see Penal Code § 13507.

**Library References**

States Ⓒ123, 127.  
Westlaw Topic No. 360.  
C.J.S. States §§ 377 to 380, 386 to 387.

**§ 13526. Agency not entitled to allocation as of Dec. 31, 1989**

In no event shall any allocation be made from the Peace Officers' Training Fund to a local government agency if the agency was not entitled to receive funding under any of the provisions of this article, as they read on December 31, 1989.

(Added by Stats.1989, c. 1165, § 40.)

**Library References**

States Ⓒ127.  
Westlaw Topic No. 360.  
C.J.S. States §§ 386 to 387.

**§ 13526.1. Port wardens and special officers of the Harbor Department of Los Angeles; entitlement to funding from the Peace Officers' Training Fund**

(a) It is the intent of the Legislature in adding this section that effect be given to amendments made by Chapter 950 of the Statutes of 1989. The Legislature recognizes those amendments were intended to make port wardens and special officers of the Harbor Department of the City of Los Angeles entitled to allocations from the Peace Officers' Training Fund for state aid pursuant to this chapter, notwithstanding the amendments made by Chapter 1165 of the Statutes of 1989, which added Section 13526 to this code.

(b) Notwithstanding Section 13526, for the purposes of this chapter, the port wardens and special officers of the Harbor Department of the City of Los Angeles shall be entitled to receive funding from the Peace Officers' Training Fund.<sup>1</sup>

(Added by Stats.1990, c. 1695 (S.B.2140), § 12. Amended by Stats.1996, c. 950 (A.B.574), § 5.)

<sup>1</sup> The second and third sentences of subd. (b), which were added by Stats.1996, c. 950 (A.B.574), have been deleted in accordance with the Governor's veto message. Prior to deletion, the second and third sentences of subd. (b) read: "In addition, if total revenues to the Peace Officers' Training Fund in the 1996-97 State Budget exceed total revenues budgeted in the 1995-96 State Budget by forty-five thousand dollars (\$45,000), safety police officers and park rangers of the County of Los Angeles shall be entitled to receive funding from the Peace Officers' Training Fund, up to a total of forty-five thousand dollars (\$45,000), during the 1996-97 fiscal year. If total revenues to the Peace Officers' Training Fund in the 1997-98 State Budget exceed total revenues budgeted in the 1995-96 State Budget by forty-five thousand dollars (\$45,000), safety police officers and park rangers of the County of Los Angeles shall be entitled to receive funding from the Peace Officers' Training Fund, up to a total of forty-five thousand dollars (\$45,000), during the 1997-98 fiscal year."



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**Historical and Statutory Notes**

The 1996 amendment, in subd. (b), added the second and third sentences relating to the amount of revenues allocated to the Fund in the 1996-97 and 1997-98 State Budgets, however, these sentences were deleted in accordance with the Governor's veto message.

Governor Wilson issued the following deletion message regarding Stats.1996, c. 950 (A.B.574):

"This bill would make various changes to existing law regarding peace officer authority, training, and certification for deputy sheriffs involved in the supervision, security, and movement of inmates. Additionally, this bill would entitle Los Angeles safety police officers and public rangers to funding from the Peace Officers' Training Fund (POTF).

"I am signing Assembly Bill No. 574, however, I am deleting the appropriation in Section 5 of the bill which would allow safety police officers and park rangers in Los Angeles County to be entitled to funding from the POTF. This provision would provide up to \$45,000 directly to the County of Los Angeles under specified conditions.

"Currently, the Commission on Peace Officer Standards and Training (POST) provides finan-

cial assistance to law enforcement agencies throughout the State to increase the effectiveness of law enforcement personnel through training and career development programs. Reimbursement funding is provided to eligible law enforcement entities on a priority basis to address the needs of law enforcement agencies involved in police work. Although the bill contains a number of provisions which I support, Assembly Bill 574 would set a precedent by making an appropriation directly to a local law enforcement group, thereby eliminating the ability of POST to prioritize the allocation of these limited resources. Additionally, I am concerned that this bill may encourage other law enforcement agencies to seek funding through legislation, rather than utilizing the discretion of POST to prioritize these funds. While this group of officers merit training, reserving funds for this group of officers would limit the resources available to reimburse the existing list of eligible law enforcement agencies. For these reasons, I am vetoing provisions of Section 5, paragraph (b).

"PETE WILSON, Governor"

**Library References**

- States ⇨127.
- Westlaw Topic No. 360.
- C.J.S. States §§ 386 to 387.

**§ 13526.2. Housing authority police departments of Los Angeles and Oakland; entitlement to funding**

Notwithstanding Section 13526, for the purposes of this chapter, the housing authority police departments of the City of Los Angeles and the City of Oakland shall be entitled to receive funding from the Peace Officers' Training Fund. (Added by Stats.1999, c. 301 (A.B.1336), § 2.)

**Library References**

- States ⇨127.
- Westlaw Topic No. 360.
- C.J.S. States §§ 386 to 387.

**Article 4**

**PEACE OFFICERS**

**Section**

- 13540. Designation as peace officer; study; fee; change in peace officer designation or status.
- 13541. Scope of study.
- 13542. Agency requirements; study results; recommendations; submission to Legislature.



**Section**

13543. Repealed.

13543.5. Repealed.

*Article 4 was added by Stats.1989, c. 1165, § 41.*

**§ 13540. Designation as peace officer; study; fee; change in peace officer designation or status**

(a) Any person or persons desiring peace officer status under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 who, on January 1, 1990, were not entitled to be designated as peace officers under that chapter shall request the Commission on Peace Officer Standards and Training to undertake a feasibility study regarding designating that person or persons as peace officers. The request and study shall be undertaken in accordance with regulations adopted by the commission. The commission may charge any person requesting a study, a fee, not to exceed the actual cost of undertaking the study. Nothing in this article shall apply to or otherwise affect the authority of the Director of Corrections, the Director of the Youth Authority, the Director of the Youthful Offender Parole Board, or the Secretary of the Youth and Adult Correctional Agency to designate peace officers as provided for in Section 830.5.

(b) Any person or persons who are designated as peace officers under Chapter 4.5, (commencing with Section 830) of Title 3 of Part 2, and who desire a change in peace officer designation or status, shall request the Commission on Peace Officer Standards and Training to undertake a study to assess the need for a change in designation or status. The request and study shall be undertaken in accordance with regulations adopted by the commission. The commission may charge any person, agency, or organization requesting a study, a fee, not to exceed the actual cost of undertaking the study.

(Added by Stats.1989, c. 1165, § 41. Amended by Stats.1990, c. 82 (S.B.655), § 14, eff. May 3, 1990; Stats.2000, c. 96 (A.B.1494), § 1, eff. July 7, 2000.)

**Historical and Statutory Notes**

The 1990 amendment, in the fourth sentence, inserted "the Director of the Youthful Offender Parole Board", and made nonsubstantive changes.

Stats.2000, c. 96 (A.B.1494) rewrote this section, which read:

"Any person or persons desiring peace officer status under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 4 who, on January 1, 1990, were not entitled to be designated as peace officers under Chapter 4.5 shall request the Commission on Peace Officer Standards and Training to undertake a feasibility

study regarding designating that person or persons as peace officers. The request and study shall be undertaken in accordance with regulations adopted by the commission. The commission may charge any person requesting a study, a fee, not to exceed the actual cost of undertaking the study. Nothing in this article shall apply to or otherwise affect the authority of the Director of Corrections, the Director of the Youth Authority, the Director of the Youthful Offender Parole Board, or the Secretary of the Youth and Adult Correctional Agency to designate peace officers as provided for in Section 830.5."

**Code of Regulations References**

Commission on Peace Officer Standards and Training, peace officer feasibility study requirements, see 11 Cal. Code of Regs. § 9020.



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**Library References**

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

**§ 13541. Scope of study**

(a) Any study undertaken under this article shall include, but shall not be limited to, the current and proposed duties and responsibilities of persons employed in the category seeking the designation change, their field law enforcement duties and responsibilities, their supervisory and management structure, and their proposed training methods and funding sources.

(b) A study undertaken pursuant to subdivision (b) of Section 13540 shall include, but shall not be limited to, the current and proposed duties and responsibilities of the persons employed in the category seeking the designation change and their field law enforcement duties and responsibilities, and the extent to which their current duties and responsibilities require additional peace officer powers and authority.

(Added by Stats.1989, c. 1165, § 41. Amended by Stats.2000, c. 96 (A.B.1494), § 2, eff. July 7, 2000.)

**Historical and Statutory Notes**

Stats.2000, c. 96 (A.B.1494) designated existing provisions as subd. (a); and added subd. (b).

**Code of Regulations References**

Commission on Peace Officer Standards and Training, peace officer feasibility study requirements, see 11 Cal. Code of Regs. § 9020.

**Library References**

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

**§ 13542. Agency requirements; study results; recommendations; submission to Legislature**

(a) In order for the commission to give a favorable recommendation as to a change in designation to peace officer status, the person or persons desiring the designation change shall be employed by an agency with a supervisory structure consisting of a chief law enforcement officer, the agency shall agree to comply with the training requirements set forth in Section 832, and shall be subject to the funding restriction set forth in Section 13526. The commission shall issue the study and its recommendations to the requesting person or agency within 18 months of the mutual acceptance of a contract between the requesting person or agency and the commission. A copy of that study and recommendations shall also be submitted to the Legislature.

(b)(1) In order for the commission to give a favorable recommendation as to a change in peace officer designation or status, the person or persons desiring the change in peace officer designation or status shall be employed by an agency that is currently participating in the Peace Officer Standard Training program.



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(2) If the designation change is moving the person or persons into Section 830.1, the person or persons shall obtain the basic certificate issued by the Commission on Peace Officer Standards and Training, set forth in Section 832.4.

(3) The commission shall issue the study and its recommendations, as specified in subdivision (b) of Section 13540, to the requesting person or persons, within 12 months of the mutual acceptance of a contract between the requesting person or agency and the commission, or as soon as possible thereafter if the commission shows good cause as to the need for an extension of the 12-month time period.

(4) A copy of that study and recommendation shall also be submitted to the Legislature.

(Added by Stats.1989, c. 1165, § 41. Amended by Stats.1990, c. 82 (S.B.655), § 14.5, eff. May 3, 1990; Stats.2000, c. 96 (A.B.1494), § 3, eff. July 7, 2000.)

### Historical and Statutory Notes

The 1990 amendment, in the second sentence, inserted "person or".

Stats.2000, c. 96 (A.B.1494) rewrote this section, which read:

"In order for the commission to give a favorable recommendation as to a change in designation to peace officer status, the person or persons desiring the designation change shall be employed by an agency with a supervisory structure consisting of a chief law enforcement

officer, the agency shall agree to comply with the training requirements set forth in Section 832, and shall be subject to the funding restriction set forth in Section 13526. The commission shall issue the study and its recommendations to the requesting person or agency within 18 months of the request if the request is made in accordance with the regulations of the commission. A copy of that study and recommendations shall also be submitted to the Legislature."

### Code of Regulations References

Commission on Peace Officer Standards and Training, peace officer feasibility study requirements, see 11 Cal. Code of Regs. § 9020.

### Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

## § 13543. Repealed by Stats.2000, c. 96 (A.B.1494), § 4, operative Jan. 1, 2002

### Historical and Statutory Notes

The repealed section, added by Stats.2000, c. 96 (A.B.1494), § 4, eff. July 7, 2000, relating to changes involving Los Angeles Unified School

District Police Department and issuance of study and recommendations, was repealed by its own terms, operative Jan. 1, 2002.

## § 13543.5. Repealed by Stats.2000, c. 354 (A.B.1928), § 2, operative Jan. 1, 2002

### Historical and Statutory Notes

The repealed section, added by Stats.2000, c. 354 (A.B.1928), § 2, relating to court services investigators of L.A. County and designation as

peace officers, was repealed by its own terms, operative Jan. 1, 2002.



Article 5

LOCAL LAW ENFORCEMENT ACCREDITATION

Section

13550. Definitions.  
13551. Regulations and professional standards.  
13552. Participation in program.  
13553. Standards may exceed minimum accreditation standards.

*Article 5 was added by Stats.1992, c. 1249 (S.B.1126), § 5.*

§ 13550. Definitions

For the purposes of this article the following terms apply:

(a) "Local law enforcement" means city police and county sheriffs' departments.

(b) "Accreditation" means meeting and maintaining standards that render the agency eligible for certification by ascribing to publicly recognized principles for the professional operation of local law enforcement agencies.

(Added by Stats.1992, c. 1249 (S.B.1126), § 5.)

§ 13551. Regulations and professional standards

(a) The Commission on Peace Officer Standards and Training shall develop regulations and professional standards for the law enforcement accreditation program when funding for this purpose from nongeneral funds is approved by the Legislature. The program shall provide standards for the operation of law enforcement agencies and shall be available as soon as practical after funding becomes available. The standards shall serve as a basis for the uniform operation of law enforcement agencies throughout the state to best serve the interests of the people of this state.

(b) The commission may, from time to time, amend the regulations and standards or adopt new standards relating to the accreditation program.

(Added by Stats.1992, c. 1249 (S.B.1126), § 5. Amended by Stats.1994, c. 43 (A.B. 1329), § 4; Stats.1996, c. 591 (A.B.3064), § 2.)

Historical and Statutory Notes

The 1994 amendment, in subd. (a), substituted "1996" for "1994" in the first and second sentences.

The 1996 amendment, in subd. (a), in the first sentence, deleted "on or before July 1, 1996" following "professional standards" and added

"when funding for this purpose from nongeneral funds is approved by the legislature", and, in the second sentence, substituted "and shall be available as soon as practical after funding becomes available" for "and the program shall be available on or before July 1, 1996".

Cross References

Accreditation defined for purposes of this Article, see Penal Code § 13550.

Library References

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.



**§ 13552. Participation in program**

(a) Participation in this accreditation program is limited to police departments, sheriffs' departments, and the California Highway Patrol. Other law enforcement agencies shall be eligible for accreditation after January 1, 1998.

(b) Participation shall be voluntary and shall be initiated upon the application of the chief executive officer of each agency.

(Added by Stats.1992, c. 1249 (S.B.1126), § 5. Amended by Stats.1994, c. 43 (A.B. 1329), § 5.)

**Historical and Statutory Notes**

The 1994 amendment, in subd. (a), substituted "1998" for "1996" in the second sentence.

**Library References**

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.

**§ 13553. Standards may exceed minimum accreditation standards**

Nothing in this article shall prohibit a law enforcement agency from establishing standards that exceed the minimum accreditation standards set by the commission.

(Added by Stats.1992, c. 1249 (S.B.1126), § 5.)

**Library References**

Municipal Corporations Ⓒ184(2).  
Westlaw Topic No. 268.

C.J.S. Municipal Corporations §§ 620 to 622,  
624 to 630, 657, 660.



## Title 4.5

### CORRECTIONS STANDARD AUTHORITY

#### Section

13600. References to Commission on Correctional Peace Officer Standards and Training (CPOST); legislative findings and declarations; appointment of subordinate officer to serve as executive director of board.
- 13600.5. Repealed.
13601. Corrections Standards Authority duties; peace officer apprentice selection and training; screening; course standards; probationary period; advanced officers curricula and standards; studies; disapproval of training courses; costs; program compliance.
13602. Training facilities; training course completion; time of training.
- 13602.1. Training academy for correctional officers; authority to establish in southern California.
13603. Training for correctional peace officer cadets and newly appointed first line supervisors.

*The heading of Title 4.5, added as Title 5, "Youth and Adult Correctional Peace Officer Standards and Training" by Stats.1983, c. 1074, § 1, was renumbered Title 4.5 and amended by Stats.1987, c. 56, § 144, was amended by Governor's Reorganization Plan No. 1 of 2005, § 62, eff. May 5, 2005, operative July 1, 2005 and Stats.2005, c. 10 (S.B.737), § 65, eff. May 10, 2005, operative July 1, 2005, to read "Corrections Standards Authority", was amended by Stats.2011, c. 36 (S.B.92), § 49, eff. June 30, 2011, to read "Commission on Correctional Peace Officer Standards and Training", and was amended by Stats.2011, c. 136 (A.B.116), § 7, eff. July 27, 2011, to read as now appearing.*

#### Explanatory Note

*For another Title 4.5, "Commission on Correctional Peace Officer Standards and Training", added by Stats.2011, c. 136 (A.B.116), § 8, eff. July 27, 2011, operative July 1, 2012, see Penal Code § 13600 et seq.*

#### Historical and Statutory Notes

For operative and urgency effective provisions, legislative intent and budget considerations relating to Stats.2005, c. 10 (S.B.737), see Historical and Statutory Notes under Government Code § 11552.

For appropriation, cost reimbursement, and urgency effective provisions relating to Stats. 2011, c. 36 (S.B.92), see Historical and Statutory Notes under Government Code § 3101.

Section 9 of Stats.2011, c. 136 (A.B.116), prior to amendment by Stats.2011-2012, 1st Ex. Sess., c. 12 (A.B.17), § 43, eff. Sept. 21, 2011, operative Oct. 1, 2011, provided:

"SEC. 9. (a) Section 6 [sic; probably should refer to Section 7] of this act shall remain operative until July 1, 2012.

"(b) Section 7 [sic; probably should refer to Section 8] of this act shall become operative on July 1, 2012."

The Legislative Counsel's Digest for Stats. 2011, c. 136 (A.B.116), provides, in part:

"Under existing law, the Corrections Standards Authority is responsible for developing, approving, and monitoring standards for the selection and training of state correctional peace officers and apprentices. SB 92 of the 2011-12 Regular Session created the Commis-